

Recd May 11<sup>th</sup> 8 Special Agents. Abbott

U.S. Steam Frigate Tusquehanna  
Hong Kong 20<sup>th</sup> February 1852.

Sir,

I have the honor to acknowledge the receipt of the following named documents from the Department of State, sent through the hands of Peter Parker Esq. U.S. Charge d'Affaires, ad interim, at Canton.

To wit,

Letter (in duplicate) from the Department of State, dated 10<sup>th</sup> June 1851, in reference to my proceeding to Japan, for the purpose of negotiating a treaty between the United States and that Government.

Letter (in duplicate) from the President of the U. States, dated 30<sup>th</sup> May 1852, authorizing me to negotiate a Treaty &c. between the United States and the Emperor of Japan.

Letters from the President of the United States to the Emperor of Japan, and a copy of the same.

Translations, into Chinese and Dutch, of the President's letter to the Emperor of Japan.

Copy of the Treaty between the United States and the Chinese Empire.

Copy of the Treaty between the United States and the Sultan of Muscat.

Copy of the Treaty between the United States and the King of Siam.

Letter (in duplicate) from the Department

Department of State, in reference to the East Coast  
of Africa and the River Njib, or Juba.

Copy of letter from the Department  
of State to the Hon. Secretary of the Navy, dated  
9<sup>th</sup> May 1851, in reference to the Japanese, picked  
at sea by the Barque Auckland.

Copy of letter from Navy Department  
to the Secretary of State, dated May 10<sup>th</sup> 1851, in  
reply to his letter of 9<sup>th</sup> May 1851.

Copy of the Instructions sent, by the  
Navy Department, to Commodore Charles S.  
McCauley, Commanding U. S. Pacific Squadron,  
in reference to the Japanese picked up by the  
Barque Auckland.\*

I am, Sir, very respectfully  
Your Obedt. Servant.

J. A. Mulick  
Com'g U. S. Squadron  
East India & China Seas.

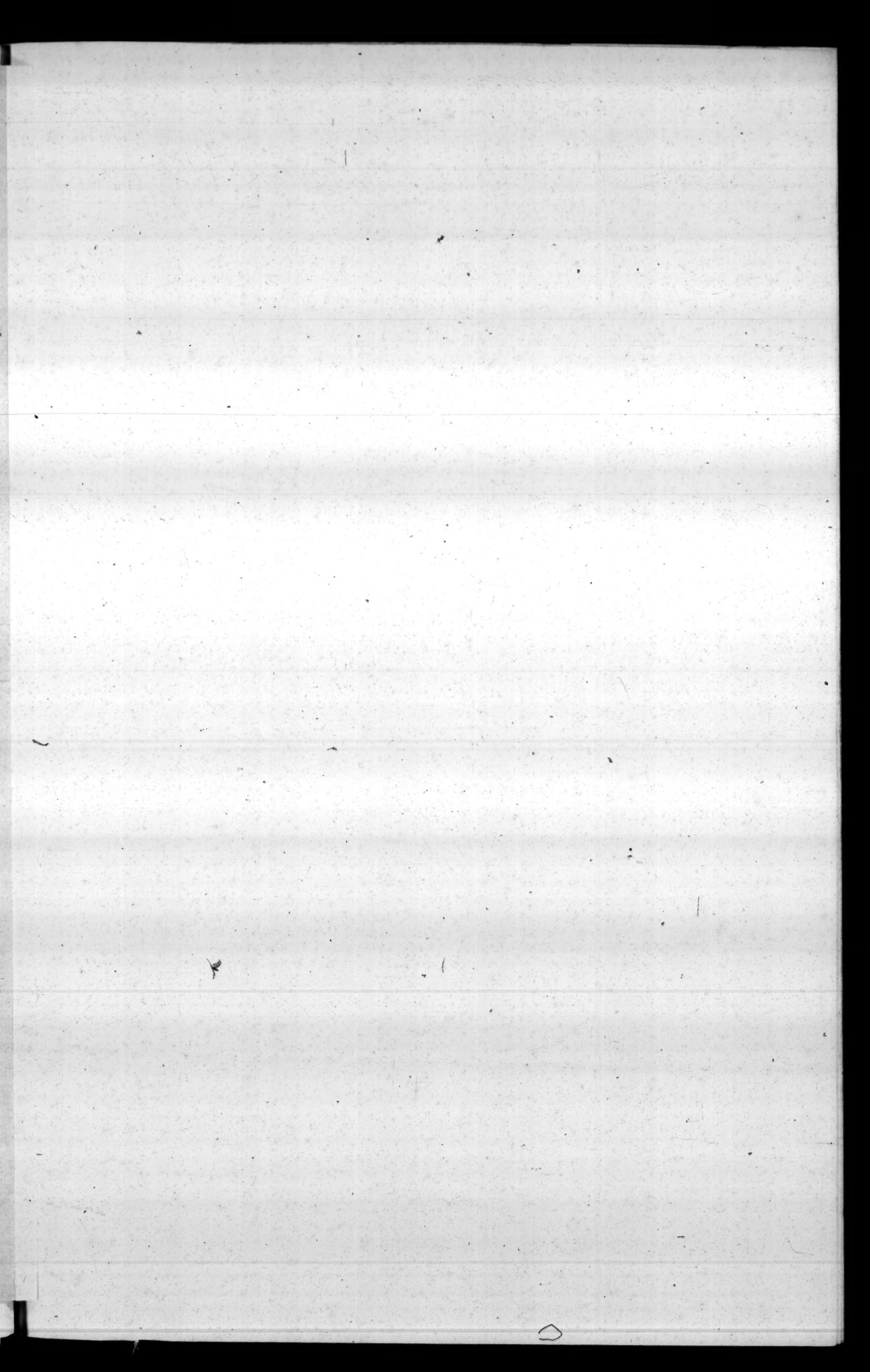
Honorable  
Daniel Webster  
Secretary of State  
of the United States  
Washington.

ps. The Japanese referred to, have not yet  
arrived on this station.

Ma



m<sup>r</sup> J. H. Aubick - 20 Feby - 1852.



W. M. BURWELL

MARCH 22, 1852

MEXICO

Recd 13th April.

W.S. Steamer Fulton

Monday 5<sup>th</sup> ap 1852

Secretary of State

Dear Sir

at Pensacola

I arrived ~~here~~ overland from Montgomery at 5 o'clock this morning. The eighth day from Richmond Virginia.

The Fulton arrived ~~alongside~~ the Coaling wharf at 4 P. M. April 1<sup>st</sup>

on the 2<sup>nd</sup> & 3<sup>rd</sup> Employed in coaling vessel

This would have rendered the arrival of the under signed, at the City of Mexico impossible by the period desired by the Department (The 8<sup>th</sup> April)

The Fulton will <sup>probably</sup> leave here in the morning

but Captain Benham considers the weather [head winds] too unfavorable to perhaps more immediate departure

The Fulton having telegraphed Washington <sup>expecting</sup> is ~~awaiting~~ a reply.

I have shown the Captain my personal instructions, to repair to Pensacola when you will embark in the United States Steam Gunboat which has been ordered by the Navy Department to take the agent to Vera Cruz and wait for you there twenty days

Nothing more

Yrs very

Wm. B. Brewster

Recd May 4<sup>th</sup>

X

3

My Dear A

Via Cruz

10<sup>th</sup> Apr 1852

I arrived this morning a  
very quick ~~passage~~ of about  
eighty hours from Pensacola  
I leave at four this evening for the  
City.

I called on the Capt Benham of the  
Fulton upon the Governor of the  
City. He received us with much  
courtesy.

Those I meet profess an anxiety  
to settle the Schuylker Question.  
I have made few enquiries however  
not relying upon casual conversa-  
tion.

I have written only to announce  
my arrival.

Truly, &c  
Yrs

Wm B. Brewster

Recd 14, May,

Washington. 12 May. 1852

To

The Honorable Secretary  
of State.

The undersigned,  
appointed Special and Confidential Agent  
of the Government of the United States,  
left Washington on the 23<sup>rd</sup> March, 1852 for  
Pensacola, which place he reached on  
the 5<sup>th</sup> April. The Steamer Fulton  
having been detained from the 5<sup>th</sup> inst<sup>t</sup>  
by winds, and coaling, left Pensacola  
on the 6<sup>th</sup> inst<sup>t</sup>, and reached Vera Cruz  
on the 10<sup>th</sup>. The undersigned, pro-  
ceeded to the City of Mexico, which he  
reached on the 14<sup>th</sup> of April. He report-  
ed his arrival to Mr Letcher, with whom  
he remained during his stay, and from  
whom he received all the assistance ne-  
cessary in discharging the duties of his  
Agency.

The Treaty in relation to  
Schuantepec, had been on the 8<sup>th</sup> April  
submitted by the President to Congress,  
and was rejected by a vote of 71. to 5.

The impression produced by the  
arrival of a Special Agent in a vessel  
of War, although it occasioned much  
anxious

anxious speculation in Mexico, could pro-  
duce no effect upon the action of Congress  
in relation to the Treaty. Indeed,

the universal ~~of~~ prejudice against the Tre-  
aty, and the committal of the Legislature  
and Executive, would have rendered  
any threat of the American Govern-  
ment useless, at that late date.

It would, perhaps, have possibly embar-  
rassed its subsequent action. So deter-

mined was Congress to defeat the Treaty,  
that it had demanded its communi-  
cation by the President. Those

Members, who it was supposed, would  
have voted for the Treaty, were threaten-  
ed with denunciation as traitors if

they did so; and the only member  
who voted in the negative, stated, "that

" he did not approve the Treaty, but hav-

" ing lost many friends and much

" property by the late war, he would do

" every thing in his power to prevent

" another." Indeed, the

Treaty had no open friends. The

President said nothing in its favor,

whilst the Minister of Relations had

just addressed to the diplomatic circle

a defence against the imputation of bad faith, brought against Mexico, in regard to it. The Press, with a single exception ("Hait a Union") was violent in its denunciation of the insidious Treaty, which the unscrupulous astuteness of Mr Letcher clucked from the ignorant presumption of Señor Pedraza.

Mr Letcher thinks, that no Treaty, on the basis of the Faray grant, can pass. The Mexican Government, will, he thinks, grant the right of way under certain circumstances, but with no recognition of the Faray grant.

There have been, in his opinion, many causes operating to prevent the adoption of the Treaty. Citizens of the United States had assured the Mexican Government, that there was no danger of any serious consequences; and the Minister of Relations had affirmed that Mr Letcher had exceeded his instructions in declaring, "that the Government of the U.S. would protect the rights of its citizens."

Foreign powers have no doubt interfered in the negotiations, as all the European

European Representatives except the Ministers of France and Prussia, are unwilling that the United States should have the control of the Isthmus.

The prejudices against citizens of the U.S. have been greatly increased by the Lopez Expedition; and the invasion on the Rio Grande.

The Spanish influence is strengthening, because, from the general instability of the Mexican Government, there is a strong inclination to put the country under the protection of some foreign power.

The Spanish influence, inimical to the United States, boasts of the defence of Cuba, assures the Mexicans that the soldiers of the United States are not invincible, and stimulates them to another trial.

But, however favorable the Administration at Mexico may have originally been to the Tehuantepec Treaty, it had neither the power nor the inclination to negotiate a new one. It was without power in Congress. There had been daily expectation of a revolution for weeks.

weeks. Congress desired to impeach the President by an impeachment for incompetency; whilst the President was advised to disperse Congress, and proclaim himself Dictator, political arrests had been made; the President kept troops in vigilant observation of the movements in the Capitol: the fiscal condition of the Government was deplorable: there was literally no money in the Treasury, nor could capitalists be induced to anticipate the revenue: the pay of the army and of the officials was very precarious and irregular: many of the most valuable items of revenue had been assigned in payment of debt: the rates of duty varied at the principal ports of entry: merchants either stored their goods, or paid duties under protest: ten millions of the American indemnity had been absorbed in the mere administration of Government, nor was there any resource proposed which would supply its current necessities.

According to public opinion, two causes prevented a Revolution. The first, that there was no means in the Treasury

Treasury to make the Government worth <sup>A</sup> seizing; the second, that there was no man of sufficient energy and capacity to conduct it. Indeed, the condition of the Government, and the feud between the Legislative and Executive Departments, had defeated Mr Letcher in his recent attempt to compromise the 11<sup>th</sup> clause of the Treaty of Guadalupe by a pecuniary commutation. He found, that if the price offered was small, it would constitute no inducement; if large, Congress would not consent to furnish the Administration with the means of sustaining itself.

Soon after his arrival, the undersigned had an audience with President Pío, upon the several subjects connected with the agency.

In doing so, he advised with Mr Letcher, and confined himself to the line of conversation which that gentleman deemed most prudent.

I stated to the President that the anxiety of the American Government to do justice, and the difficulties of correspondence upon relations to

delicate had induced that Government to send a Special and Confidential Agent to Mexico.

The President reciprocated the solicitude of the United States to preserve peaceful relations. He had received a letter from Mr. Sumner, to which he intended a reply. I stated that the Government of the United States desired to know definitively the intentions of Mexico with respect to Tehuantepec, and whether any other proposition would be presented.

The President repeated his profession of anxiety, and referred to the project of Treaty offered by his Administration.

I remarked that the Government of the United States was convinced of the sincerity of his Administration, but it could not but observe the hostility of Congress to every proposition of adjustment. There was no reason to believe that the Congress of Mexico would have ratified the project offered by the Administration.

The President said, that Mexico would not entertain  
any

any Treaty based on the Garay grant,  
but she was anxious to open a commu-  
nication for the world. She was not so  
selfish as represented.

I remarked, that  
the recent action of Congress, showed  
a determination to make no special  
Treaty with the United States upon the  
subject of Tehuantepec, because the  
Treaty was rejected without debate, and  
without a proposition of amendment  
or substitute. If there had been any  
anxiety to make a Treaty, it would  
have manifested itself in the Congres-  
sional discussion.

The President observed  
that there was an inadvertence on the  
part of Congress, but that it would in  
a few days adopt a law which would  
be satisfactory to the people of the United  
States. He desired me to remain  
a few days, and take with me the  
law upon the subject.

I replied, that my instruc-  
tions limited my stay, and that I had  
no authority to receive any substitute  
for the Treaty, as a <sup>more</sup> ~~new~~ law might  
be

be modified or repealed at any time.

I stated that the United States felt an interest in securing a treaty recognition of the right of way across the Isthmus, because it would be a thoroughfare of communication between the Atlantic and Pacific States; other nations would only use it for general purposes of commerce; it was therefore, proper that the United States should secure a permanent use of the Isthmus, under the guaranty of a Treaty.

The President repeated his protestation of friendship, and hoped again, that I would wait for the law of Congress.

I told him that if a copy were presented me before my departure, I would take it.

I stated in my conversation with the President, that there was another subject of importance to the relations between the two Governments. The claims of American citizens against Mexico were very large and increasing.

The

\* This topic was referred to by request of Mr. Letcher.

The President thought that the claims which had arisen since the date of the Treaty were small. He stated that the Mexican people had also claims for Indian depredations.

I stated, that American citizens had complained of injustice at the hand of the Mexican authorities; that eleven Americans had been imprisoned in Durango for 18 months, during four months of which they had been ~~imprisoned~~ amongst felons without the comforts of life, nor had they been enabled to obtain a trial, notwithstanding the strenuous exertions of the American Minister.

The President again renewed his assurances of a disposition to do justice, and to remove all subjects of difference between the <sup>two</sup> nations.

In this interview, with the advice of Mr Letcher, I did not refer to the negotiations upon the 11<sup>th</sup> <sup>article of the Treaty of Guadalupe</sup> ~~clause~~. Hidalgo.  
The subject had been dropped by Mr L and he did not wish to manifest any anxiety to refer to it.

I subsequently saw  
copies

copies of the Bills pending before Congress  
for the right of way.

The first provided for  
the construction of a Rail Road by Mex-  
ican Stockholders alone. This was  
postponed indefinitely.

The second was a  
modification of the first, proposing to  
submit the project to competition, retain-  
ing to the Mexican Government the power  
of appointing the officers of the road,  
and of controlling its administration.

This was also laid on the table.

In this connection, Mr. Lecher explain-  
ed why it was that he had been unable  
to compromise the 15<sup>th</sup> Article.

He says that, 1<sup>st</sup> Speculators and  
correspondents interested in claims,  
have magnified the extent of the injury  
and the amount of the indemnity, to be ~~expected~~

This has raised the expectations of  
the Mexican Government, so that the  
sum demanded by the Minister of  
Relations, at once put further discussion  
out of the question.

2<sup>d</sup> Congress being desirous to  
effect Rivera from power will do  
nothing

nothing to strengthen him.

3<sup>d</sup> Each contending faction, expecting to succeed, wishes to reserve the benefit of the indemnity to itself.

The Congress then took up a proposition presented by certain citizens of Mexico, as the Representatives of the Mexican American. It was, perhaps, framed, to obviate the objections with which the Mexican Government regarded the Tehuantepec Treaty, and the claims of the New Orleans Company, since it professes to protect the Government of Mexico against collisions with neighboring and foreign nations, and to retain to Mexico the exclusive jurisdiction and control of the Isthmus, and of the works to be constructed across it.

It also displays the inducement of an immense income, which is to increase from one million annually, to a sum sufficient to pay off the national debt, and to support the Government of Mexico.

The following is a translation of the propositions submitted by  
Messrs

Deputies Ramon Larrea and Manuel  
Payno as Agents for Mr M. F. Sloss.

1. <sup>the construction of</sup> Provisions for a temporary road of  
of plank or stone, <sup>and</sup> when the wants of  
travel shall render it necessary, of  
a Rail Road or Canal.
2. The way of communication when  
opened, to be free to all nations at  
peace with Mexico.
3. The execution of the work, to be com-  
mitted to Mr Sloss and his asso-  
ciates, who will enjoy the exclusive  
privilege during forty years from  
the conclusion of the road.
4. The temporary road, to be commenced  
within one year from the date of  
the Act, and to be completed as  
soon as possible.
5. The Government will cede to the con-  
tractors, one league on each side of  
the work, with authority to take  
materials necessary for the con-  
struction of the work from any vacant  
lands. All the lands within  
one league, belonging to private pro-  
prietors, shall be condemned and  
paid

paid for according to the laws of Mexico.

6. The charges for transportation of merchandise or passengers, shall belong <sup>for</sup> forty years to the contractors, and after that period they shall revert to the Mexican Government.

7. Two fifths of the net income, arising from freights or fare, shall be payable annually or semiannually to the Mexican Government for forty years. During forty years thereafter, the road shall be the property of the Government, paying to the contractors two fifths of the net income, in like manner.

8. The Mexican Government and the contractors, shall have power reciprocally, to appoint agents and superintendents for ascertaining exactly the receipts of the road.

9. The exclusive navigation of the Coatzacoatz, shall constitute a part of the privilege for opening the way of communication.

10. All materials necessary for the construction of the way of communication

communication, shall be imported duty free; also all supplies necessary for the support of the operators employed in construction.

11. All vessels and Steamers employed in transporting mails or passengers, shall be exempt from tonnage duty.

12. The Govt. of Mexico shall not impose any charges of transit during the privilege, except by agreement with the Company. Nor shall any direct or indirect tax be imposed upon the capital employed in construction.

13. The Government shall open such terminal ports of the way of communication, as shall be deemed advantageous for the Treasury, and shall appoint Officers and Guards necessary for the collection of tolls, and the preservation of the national interest.

14. The Government pledges itself to protect the contractors, in the peaceful prosecution of the work, as also in its quiet and secure possession

possession during the period of its  
privilege; at the expiration of  
which time, the whole work  
with its appurtenances shall  
become the property of Mexico.

15. All differences arising between  
the Govern<sup>t</sup> and the contrac-  
tors, shall be adjudicated by  
the Supreme Court of Mexico.

16. Mexico will retain the sov-  
reign jurisdiction over the en-  
tire Territory over or through which  
the way of communication  
shall be made; nor shall any  
sale or cession of the same be ever  
made in whole or in part to a  
foreign nation.

17. If the contractors shall intro-  
duce colonists, they shall be  
subject to the laws of the Republic.

The proposition of  
Mr. Sloc, does not differ materially  
in principle from the Gannett grant.

The rates of compensation to the  
Mexican Govern<sup>t</sup> are greater, the  
terms of privilege shorter, and the  
quantity

quantity of land granted, less than that claimed under that grant.

The rights of transit and transportation are not so favorable under the Sloc proposition; nor is the exemption of foreigners from ~~taxation~~ so distinct or so extended.

It will be found, upon examination, that the rights granted under the first charter, are much more important to the American people, and to the commercial world.

The success of the Sloc proposition, was, however, doubtful. —

Mexico fears the consequences of having rejected the Treaty. But her cupidity, jealousy and dislike of the Americans, will create difficulties in the adoption of any law granting <sup>to any foreigner</sup> the privilege necessary.

Having <sup>had</sup> an opportunity to obtain a statement of the probable amount of American claims against the Mexican Government, I have communicated it herewith. It may be possibly useful to the Government in the negotiation upon the <sup>Article</sup> 11<sup>th</sup> clause.

The undersigned has not deemed it

it within the limited scope of his agency  
to offer any opinions to the Government  
upon the posture of the relations with  
Mexico, or the measures proper to be  
adopted. This report, is there-  
fore confined to a statement of such  
facts and the communication of  
such information as came within his  
observation.

Very Respectfully

Wm M Burwell

Washington 12 May 1852

W 12

Mexico 20 April 1852  
 Bennett Esq  
 Dear Sir

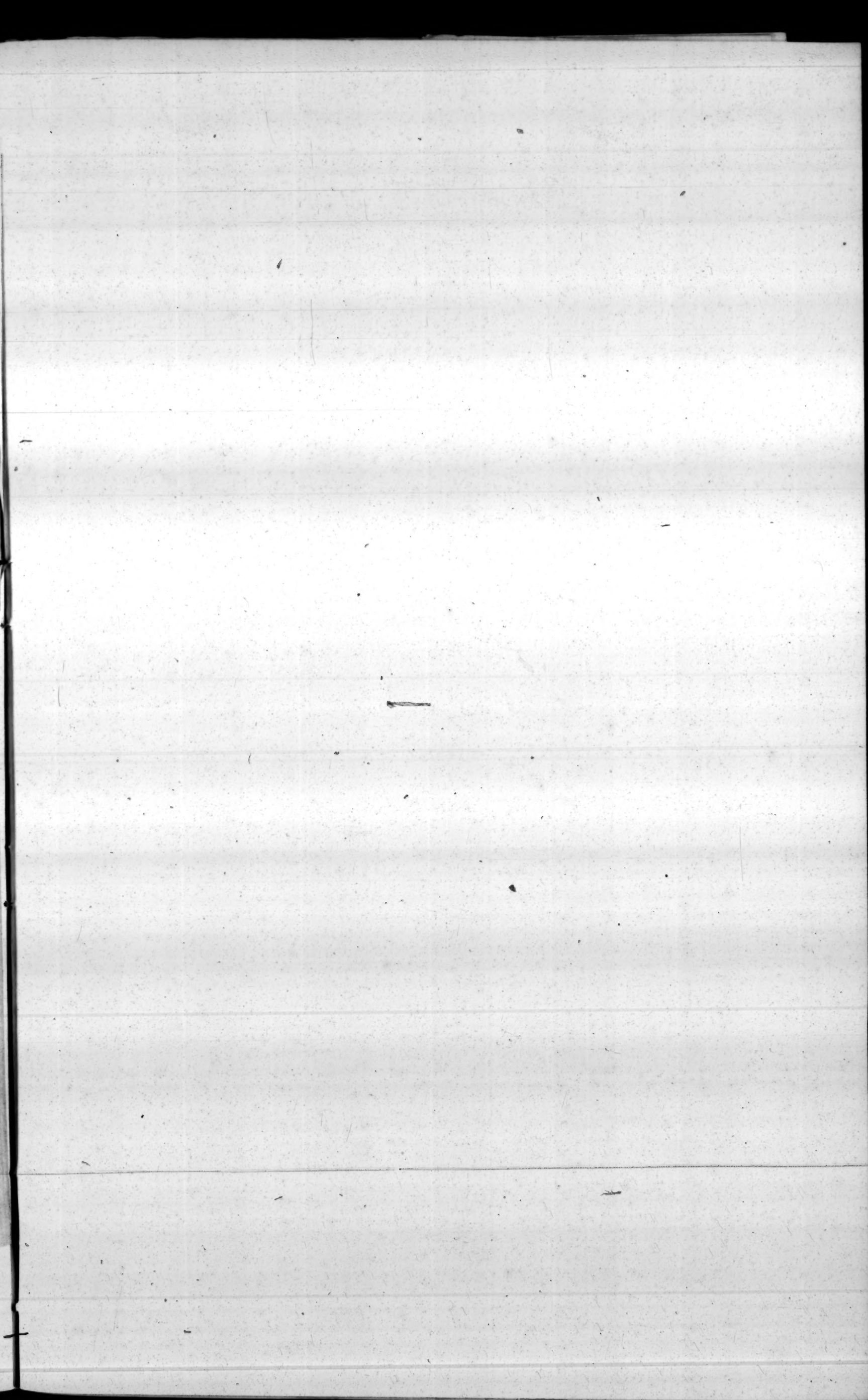
The following is a list of all the claims of American Citizens against Mexico, which have arisen since the date of the Treaty of Guadalupe Hidalgo, which I have any knowledge of, and the estimate of their probable amount, as in very few cases have the claimants made up their accounts or claimed a specific sum -

Claims	Estimated Amount
1 J. Peters for seizure of Schooner Anna Maria at Vera Cruz 1848.	\$ 15,000.
2 John Ehler, seizure of Tobacco at Durango violation of 19 <sup>th</sup> Art of treaty	20,000
3 John Ducentberry Durango Embargo of his goods and stoppage of his business -	"
Howard & Sons line of Steamers - for seizure of part of the Cargo of Ship Manlius at Acapulco.	"
5 Wilkinson & Montgomery for the seizure of goods at Camargo in Nov 1849 -	80,000.
P. A. Paillet for unpaid duties at Tobacco in 1850 -	5,000.
J. Labrenerre for do in Tampico 1850 -	10,000

Claims Continued		Estimated Amt.
Over —		\$130.000.
8	Labuere for seizure of Tobacco at Tampico violation of 19 Art.	100.000.—
9	G. Lacarde for seizure of Sch <sup>rs</sup> J. M. Hitchcock at Lobos Island	40.000.—
10	Washington Kerr for seizure of Tobacco at Durango 19 Art.	100.000.—
11	Do for seizure of Madapocallang	40.000.—
12	John Parrott for detention and loss on Tobacco 19 Art.—	70.000
13	John Parrott for Mules abandoned at Guadalupe y Calvo ———	150.000.
14	J. A. Lynch seizure of furniture re at Metamoray	5.000,
15	J. A. Biddle & Co Metamoray Tobacco claim violation of 19 Art.	150.000.—
16	Estate of C. Carroll murdered near Linares in July 1848.—	"
17	Robert B. Kingsbury Tobacco in Monterey violation of 19 Art.—	25.000.
18	Baker & Grayson Do.—	10.000.—
19	John Ehlers & Co Metamoray do—	30.000.—
20	P. C. Shannon Metamoray do.—	30.000.—
21	F. Maxam Metamoray business broken up ————	35.000
22	F. Maxam Tobacco 19 Art.	30.000.—
23	M. Suzanne Do. Do.—	5.000.
24	José Costello Tampico Tobacco.	100.000.—
Over —		<u>\$1050.000</u>

Claims Continued		Estimated Amt
Prot. up—		\$1,050,000.— <sup>16</sup>
A. Heynolan Veracruz Tobacco	25	30,000.—
V. Galloso New Orleans seizure of 26 goods near Salappa 19 Art. —		80,000.—
Julius Merle Veracruz— Mexican 27 courts reversed decision of U.S. military courts & gave back property which he had purchased under judgment & execution		10,000.—
Oscar Robert seizure of goods and 28 breaking up of business at Tampico im- prisonment &c —		100,000
Lionel Moses Veracruz seizure 29 of goods and arbitrary fines breaking up of his business		"
Joseph Moses Matamoros seizure of 30 goods —		"
Carlos Butterfield & E. Huntington des- 31 truction of cargo of provisions at Totaro —		11,000.—
Maxwell denegation of justice 32		10,000.—
Hixon & O. Boyle Matamoros seizure. 33 of goods and ruin of business 19 Art		30,000.—
N. Brewer seizure of goods 19 Art. 34		50,000.—
W. C. Horner seizure of specie and 35 ruin of business —		125,000.—
Jurges of Durango plunder of the 36 estate of Curcier deceased and denegation of justice		2,300,000.
E. Mupson		9,000,000.
Yr Truly W.D.		<u>\$6,796,000</u>

5  
Society  
Claims  
against the  
American  
Government



ROBERT M. WALSH

APRIL 29, 1852

COSTA RICA

(See, Vol. 18, Special Agents)

WILLIAM MILES

AUGUST 30, 1852

PERU

5749

Hon Daniel Webster

Panama 17 Sept 1852

Secretary of State  
Washington  
Sir,

I enclose two newspaper  
clips I made from the Journal of Commerce.

One relates to the new British colony in the  
Bay of Honduras. The other to the projects  
& purposes of the notorious Chatfield.

I was on the Isthmus when the Mosquito  
flag was raised & was witness to the joy  
of the English here at Chagres & at  
Kingston Jamaica in 1849.

Any & everything the English do on this  
Isthmus — must be for us; — But still  
their unwearyed & vigilant look out,  
is annoying.

We may next expect them to pounce on  
some point in the Pacific.

The order in Council says "Colony of the  
Bay Islands." vs — the Monroe doctrine.

I hope the next Message will announce  
the progress all the governments are now  
making, & our belief that they will advance  
& that disposition will not be wanting to  
countenance them on our part.

I have the honor to be with great  
respect Your obt & obed

William Miles

5540

*Correspondence of the New Orleans Picayune.*

*From Belize.*

BELIZE, BRITISH HONDURAS, July 30, 1852.

I take up my pen to inform you that H. B. M. Superintendent has left here in the brig *Persia*, (which vessel was sent down for that purpose) for the islands of Ruatan, Bonnacca, Utila, Barbarat, Morat and Ellime, which islands are by her Majesty's orders made a colony of Great Britain, under the name and style of "The Colony of the Bay Islands." This is looked upon in Belize as a master stroke of policy, and some of our citizens think P. E. Wodehouse, her Majesty's Superintendent at Belize, a mighty man, for they give him the credit of the movement. The whole of these islands are a portion of and belonging to the State of Honduras, and the taking possession of them by Great Britain is thought by the mass of Hondurans as a most wilful, unjust and dishonest transaction on her part. Yet it is currently reported here by the knowing ones, that your Government is not only aware of this proceeding on the part of her Majesty, but that the powers that be have advised and consented to this step. By a reference to the chart of this part of the world, you will see the importance of these islands; they all have good harbors, some of which are very secure, and capable of affording an elegant anchorage to the largest line of battle ships in the world. Then their situation is such that they are a key to the bay of Honduras, and a most eligible station for her Majesty's vessels and troops in case of any war in the West Indies or on the continent. It is a matter of astonishment to all who understand the matter, that this movement is allowed on the part of your

*Journal Commercial*  
*26 Aug*

Government. Neither is this surprise and astonishment confined to the few Americans who reside here, but it extends to the most intelligent of her Majesty's subjects here. One of the most wealthy, intelligent and honest of this class this day observed to me, "I can't think what good this is going to do, and I am sure I cannot tell what right or authority England has to these islands, and I don't see how her Majesty's Superintendent or her Government dare take the step unless it is by an understanding with the Government of the United States."

Should this movement on the part of her Majesty's Government pass unnoticed, the time for America to follow the advice and act on the principle laid down by one of your former Presidents will have passed; and if once passed and Great Britain once in possession, the consequences may be serious to the future growth of the United States. I hope and trust that the press, and more particularly the Southern press, will take the matter in hand, and let the people of the United States see and know what is going on on the coast of America.

#### THE MOSQUITO QUESTION.

*From the London Standard of Aug. 10th.*

In another column our readers will find an article concerning the great Isthmus of America, at present conspicuously before the public, which article merits attention, and on the accuracy of which complete reliance may be placed. Pondering upon the important subjects to which it relates, we were induced to turn our attention more closely to the papers published in 1850 about the Mosquito question. A perusal of these has brought under our notice a greater amount of rubbish, political knavery, and folly, than we have ever witnessed in any publication of the kind that has hitherto come in our way. The fishing up and searching out erroneous and miserable information from more erroneous and miserable sources, solely to make out and sustain a Mosquito empire, exceeds anything we could have imagined, and deserves the severest public scrutiny and reprobation.

Waiving this, however, for the moment, we proceed, in discharge of our public duty, to notice the few more prominent and important facts, which, we admit, the papers in question contain. The movement was set in motion by the Foreign Office in 1847, and one of the principal actors in the drama was Consul Chatfield, so well known in Central America, and whose rashness and policy, with the assistance lent by Brother Jonathan, led his country to release him from his services in that quarter of the world where her interests were concerned.

The great object of the movement which convulsed, and yet convulses Central America, was to make out, as the ally and protector of the Mosquito king, that his empire extended from the bottom of the Bay of Honduras, along the east coast of America, to the confines of Porto Bello. The Government of New Grenada firmly resisted this claim on the certain extent of the viceroyalty of that state, and under the authority of a Royal order from Spain, dated St. Lorenzo, Nov. 30th, 1803, which took from the jurisdiction of Guatemala all the coast from Cape Gracias a Dios to the boundary of New Grenada, and placed it in the hands of the latter state, which claims the same rights that Spain possessed. So far New Grenada, as will be seen in the article alluded to, had gained her point, and her right to the coast to the southern mouth of the St. Juan River is admitted by our Government, the ally and friend of the Mosquito king.

It so happened that at the moment the Government of Bogota, received this decision, communicated to them

550

the Mosquito question. A perusal of these has brought under our notice a greater amount of rubbish, political knavery, and folly, than we have ever witnessed in any publication of the kind that has hitherto come in our way. The fishing up and searching out erroneous and miserable information from more erroneous and miserable sources, solely to make out and sustain a Mosquito empire, exceeds anything we could have imagined, and deserves the severest public scrutiny and reprobation.

Waiving this, however, for the moment, we proceed, in discharge of our public duty, to notice the few more prominent and important facts, which, we admit, the papers in question contain. The movement was set in motion by the Foreign Office in 1847, and one of the principal actors in the drama was Consul Chatfield, so well known in Central America, and whose rashness and policy, with the assistance lent by Brother Jonathan, led his country to release him from his services in that quarter of the world where her interests were concerned.

The great object of the movement which convulsed, and yet convulses Central America, was to make out, as the ally and protector of the Mosquito king, that his empire extended from the bottom of the Bay of Honduras, along the east coast of America, to the confines of Porto Bello. The Government of New Grenada firmly resisted this claim on the certain extent of the viceroyalty of that state, and under the authority of a Royal order from Spain, dated St. Lorenzo, Nov. 30th, 1803, which took from the jurisdiction of Guatemala all the coast from Cape Gracias a Dios to the boundary of New Grenada, and placed it in the hands of the latter state, which claims the same rights that Spain possessed. So far New Grenada, as will be seen in the article alluded to, had gained her point, and her right to the coast to the southern mouth of the St. Juan River is admitted by our Government, the ally and friend of the Mosquito king.

It so happened that at the moment the Government of Bogota, received this decision, communicated to them by the British Minister, under date of September 24, they got possession of a note from Consul Chatfield to the Government of Nicaragua, under date the 10th of the same September, in which he states that in the arrangement going on with the latter state he had, of his own accord, inserted the words "reserving to the Mosquito King all his rights to the south of the River St. Juan." Mr. Mosquera, the Minister of New Grenada, in London, was instantly commanded to protest against this, and to call for, as he did call for, under date April 29, 1848, explanations. This produced the reply from Lord Palmerston, dated May 4th, 1848, relinquishing in favor of New Grenada the claim he had made on account of the Mosquito King. Mr. O'Leary, our Minister at Bogota, writing on the subject under date 29th June, 1848 (page 51), writes thus:—"Therefore if the right of the Spanish Sovereigns was valid, so also is that of New Grenada, and, consequently, the pretensions of Central America arbitrary and null, and the insignificant establishments at the mouth of the river St. Juan and that at Matina, the port of Castago, usurpations."

The claim of Central America and Costa Rica to a large portion of Veragua, a province of New Grenada, is the next important part of the papers alluded to. Chatfield was the great mover in this absurd scheme. Ignorant as he appears to be, of geography, he picks up garbled, false or fabricated scraps at Guatemala, and embodies these in a map, in which, to show the object, and prove the fabrication, he places Veragua on the south-east corner of that State, and on the Pacific, instead of extending it to and on the Atlantic, where Columbus found and named it. This he did to show that that State, of Costa Rica, had a right to all Veragua situated to the North-west of a line running straight from Point Burica on the Pacific to the Atlantic near the Isle of Escudo de Veragua. He does this at the very moment he is claiming the territory, or at least the greater portion thereof, for the Mosquito King, and at the same time telling these States that while Spain perhaps had rights to these parts, that they did not succeed to all her rights. Our clever neighbors beyond the channel, who make kingdoms to suit maps, and maps to suit provinces and grants (witness the doings at Edd, on the shores of the Red Sea, near Abyssinia and at Shoa,) readily laid hold of such a delineation as adapted to their purpose. Their course was unguardedly followed by some British geographers without proper inquiry. On such wretched rubbish our Government and country act, and are called upon to act, as their guide, and are consequently and deservedly defeated.

When the Anglo-Galindo foray was made under Central America, to seize on the Bocas del Toro, we find the Government of Bogota issuing (June 7th, 1833, p. 49) a positive order to the Governor of Veragua to prevent it, and at the same time ordering all foreigners to withdraw from the Chiriqui Lagoon, unless they chose to remain as subjects of New Grenada. On the 15th December, 1836, (p. 23), we find the new Grenadian Minister at Costa Rica calling on that Government to withdraw instantly all people from Central America, from the territory of New Grenada around the Bocas del Toro; and this he does under the executive decree of Grenada, 5th July, 1824, and the treaty made between Central America and New Grenada on the 15th of March, 1825, deciding that all this territory belonged to New Grenada. This was followed up (May 3, 1838, p. 26) by a solemn and decided declaration from the Supreme Government, in which they declare "they never will allow the illegal occupation of a part of the said territory," &c. This latter republic subsequently acted firmly upon her resolves. In 1839 Captain Burnet, the British surveying officer, found civil, military, and religious New Grenadian establishments there, and at this day this territory is represented in the Legislature of New Grenada at Bogota.

New Grenada has, therefore, repeatedly proclaimed and maintained, and with effect, her undoubted rights. Mr. O'Leary, our Minister at Bogota, writing on the subject (June 29, 1847, p. 57,) concludes thus:—"Remarkable at the same time that it is very recently that Costa Rica, a province of the latter (Central America), has abandoned her pretension to the Chiriqui Lagoon, and to the district between it and the River Chagre." The Republic of New Grenada has thus successfully maintained her territory against the pretensions of the Mosquito King and Central America, and that fraction of it, Costa Rica, need now no longer fear buccaneering inroads from any quarter.

5-5-1

Hon David Webster      Panama 17<sup>th</sup> Sept. 1854.  
Secretary of State  
Washington

Sir,

I arrived here 11<sup>th</sup>. I am to  
sail for Peru 24<sup>th</sup>.

The previous mail left 9<sup>th</sup> two days  
before my arrival.

I will be in Paita 28<sup>th</sup> thence same  
day, for Lima, will pass near the Lobos  
& possibly may land there, will be in  
Lima 1<sup>st</sup> October.

The Consul of Peru here is an English  
Church scholar, speaks our language  
perfectly: he is affable & adroit, & has  
managed well for both countries, he  
is popular; particularly so among our  
people. He deserves much credit for his  
address in restraining passions & passions  
here, & his efforts to do so in California.  
This I learn from the press. I mean the  
U.S. State here which he has continued  
to manage.

Our Consulate here & almost everywhere  
is a mere business concern.

Indeed Sir, it will be impossible to go  
on so long, the Department wants  
information to govern wisely in the

important matters constantly coming under the notice of the Department.

We want a Bureau of Commerce - I suppose it must be called, I mean a board of trade, in which all matters of Commercial History & Geography should be understood, - with its Books maps & charts -

Our Consuls must be brought under the influence of the Secretary so as to become intelligent correspondents, & contributors to the knowledge of the Secretary.

We are rapidly becoming very influential with all American Nations, & must be so whether we will or not, therefore it becomes us to collect proper knowledge and information, at least upon all American subjects.

Already we begin to feel Russia on the North West. Our ice comes from Arctica.

I wish Mr Fillmore had longer to serve, or that still time served to conclude many Treaties we can probably make with these powers. I can see our influence constantly on the increase on these shores, & never were a nation's prospects so bright for a great & glorious career as ours.

You are aware no doubt that Peru has slaves & slave labor; & is the only American state of Spanish origin that has them.

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You will find the various ministers of these States at Washington clashing, & sensitive about the share of favor each enjoys at Washington. There is a great deal of gossip &c. - They all appear to me to be jealous of each other, & all look up to us. They are all fine countries, & will all in time become of great consequence. When we look at them, & their capabilities, we readily see there is nothing like any danger of want of land for the Human Race.

I have the honor to be with great respect  
Yours truly  
William Miles.

Rec<sup>d</sup> Oct 7<sup>th</sup>

X

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Hon David Webster

Secretary of State

Washington

Sir,

Panama 17<sup>th</sup> Sept. 1852.

I left New York for steamer  
United States 1<sup>st</sup> inst. - reached Aspinwall 9<sup>th</sup>  
and this City 11<sup>th</sup>.

The British Mail Steamer left this City the 9<sup>th</sup>  
for Peru & Chile.

I have to wait here until the 24<sup>th</sup> inst, I have  
taken passage for that date, the first opportu-  
nity since my arrival. I shall reach Paita  
28<sup>th</sup> & Lima 1<sup>st</sup> October.

As the steamer on the way from Paita to  
Callao passes near the outer Lobos, I may be  
able to get there with the Naval Order, for  
Capt M<sup>r</sup>. Auley.

The Kantan was at Valparaiso 2<sup>d</sup> inst.  
The Peruvian Consul here supposes he would  
receive the order for Lobos 12<sup>th</sup> inst; if so, he  
& I will get to Lobos about the same time.

Have the honor to remain with the  
greatest respect your obs<sup>vt</sup> :

William Miles.

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Bondant Webster  
Secy State  
Wash<sup>n</sup>

Panama 17 Sept 1852

Sir

I arrived here 11<sup>th</sup>  
two days after the steamer for Peru left  
I must wait till 24<sup>th</sup> inst.

I will be at Paita 28<sup>th</sup> Sept<sup>r</sup>

Quina 1 Oct<sup>r</sup>

If I can get to Lobos on the way up, I  
will as the steamer goes near.

The Navitan was at Valparaiso on  
the second of Sept<sup>r</sup>.

Respectfully  
William Miles.

The consul of Peru here is  
a popular man with our people &  
speaks english perfectly. He has  
managed with prudence & adroitness.

Hon David Webster Panama 17th Sept 1852  
Washington

My dear Sir

I left New York 1st read this place 11th but the steamer having left 9th I am compelled to remain till 24th inst, will be in Paita 28th & at Callao of Lima 1st Oct.

As I go near Sobos on the way up from Paita I may be able to touch there with the Naval Order.

I find our country stands very high among all these people, & that we can well afford to take a dignified influential and conciliatory position. In all my observation since 1828 I have never felt our position & influence so great before.

I hope the matter with Chile won't amount to any thing. That power can have no motive to do us injury, & will soon get out of any silly idea that England will assist her. We may labor under. Indeed I think our very increasing influence among these states is partly because they now see we do not care at all for English power, or any other but will do right.

The Peruvian Consul here is a most excellent English French & Spanish scholar speaks English as well as I do, is popular

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amongst our people here - has ~~managed~~ managed the american press here so as to prevent operations here & from this place, & also has sent disuasive articles to the California press, to prevent hasty voyages, & at the same time give no offence.

I understand an agent is here from Mr. Peyton on his way to you.

A special agent is here also from Ecuador on the way to you.

It will perhaps be the present policy of New Granada & Ecuador to prejudice Peru at Washington.

Our position towards all these new Spanish States is most rapidly becoming one of the greatest influence & importance; & it will be necessary to hear & listen to a great deal of talk at Washington; to hear with efforts to outdo one another in obtaining influence with us; to hear perhaps a great deal of politico diplomatic gossip; & try to be just to them all. In order to do so it will be ~~attention~~ attentive to hear, careful to investigate & consider & how to act until all parties are consulted.

Bolivia owns ports (Exaltacion &c) on the upper Amazon she wants to declare free & so open the River, you will hear of it, but it better will be to let it lie quiet till Bolivia announces the decree.

The English notice of the creation of the colony of the Bay of six Islands in Honduras cannot have escaped your notice. Perhaps the next move of the British will be somewhere on this (Pacific) side, & if so, I think our people will be roused by it.

Ecuador is a mean power. It at one time was almost going to become Megro fed, i.e., in 1847, under English influence.

It is said McPacdes will try to injure Peru. Peru has Slaves & is the only of these States that has.

Quano has gone to England several times from Sobos.

I close in great haste  
Yours respyt  
William Miles.

Recd 15. Octr

Panama Sept 20<sup>th</sup> 1852 5-63

Hon Daniel Webster

Secretary of State

Washington

Sir,

I have just learned  
that the Ship Maubius from New York  
arrived off the Sobos Islands 10<sup>th</sup> Sept<sup>r</sup>.

The Governor of the Islands showed the  
Captain all the Decrees and Documents—  
prohibiting the abstraction of Guano,  
& the use of the Islands &c. The Captain  
stated that he had come there thinking  
that he was acting in a legal manner;  
but that, from an examination of the  
Documents, he said he became fully  
aware that he had been misinformed  
and misled; & expressed his intention to  
leave the Islands immediately; and  
requested the favor of a recommendation  
to the Government's agents in Lima for  
a charter; which recommendation  
was granted, without however the  
Governor compromising himself, as  
he was not authorized to do so.

over

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You will perceive from the foregoing statement, that the conduct of the Governor of the Lobos Islands, agrees perfectly with the enclosed printed article extracted from the Panama Herald of the fourteenth of this month, which insinuates such a course as the suggestion of the Peruvian Consul residing here; who has guided the American press here a good deal & very usefully for both Countries during this Lobos Islands affair, & I know wrote the enclosed article.

I have the honor to be with the greatest respect.

Yours obd. servt.

William Miles.

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## THE PANAMA HERALD.

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TUESDAY, SEPTEMBER 14, 1852.

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### The Lobos Islands.

By the Steamer *United States*, despatches have been received from the Cabinet at Washington, to the effect, that under existing circumstances the President has thought it most advisable that full instructions regarding the Lobos Islands should be sent to the Charge d'Affairs at Lima, and that proper orders should be given to the naval forces of the United States in the Pacific, to prevent all collision until further examination of the case.

Orders have likewise been sent expressing that no countenance will be given to the authors of any enterprise upon the said Islands, claiming to be citizens of the United States, who may undertake to defend themselves or their vessels by force in the prosecution of any commercial enterprise to those Islands, as such acts would be considered acts of private war, and their authors would thereby justly forfeit the protection of their government.

Quite a fleet of American vessels have sailed for the Lobos Islands, under the former views of the government, which declared the guano free to the world. What course will these vessels pursue under the last views expressed above, of Mr. Webster? The best thing for all parties concerned will be for Peru to offer charter parties to all the vessels, at their usual prices paid for freight, and send them home full. Such conduct on the part of the Peruvian government would be magnanimous, and show to the people of the United States that while they claim their rights, they feel disposed to show all the favor they can consistently with such rights.

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Rec<sup>d</sup> Oct 14<sup>th</sup> B.

X

Panama 22<sup>d</sup> Sept. 1852. 569

Hon Daniel Webster

Secretary of State  
Washington

Sir

I enclose two newspapers.

One 14 Sept<sup>r</sup>. contains a notice from the  
Consul of Peru here Mr John Loustannan  
(educated in England & a good English scholar) which  
is intended to deter Americans going to the Lobos  
Islands from prosecuting such intentions as far  
as possible. Vessels that go there I am assured  
will not be captured, but only ordered away,  
notwithstanding the notice. But, under the  
circumstances, it had better be at once  
clearly understood with Mr Osuna, that  
in no case are captures to be made; or,  
if so, released at once at Callao. These  
Countries, must understand that however  
liberal we are disposed to be; that our  
attitude will be one of dignified reserve,  
and will not sanction any assumptions or  
familiarities.

The other paper 21<sup>st</sup> contains an article  
written by the Consul of Peru here, relative to  
the visit of the Maullins of New York to

568 Hobbs Islands for Guano.

After a careful consideration of the letters of Capt. Jewett, & the whole of the letters of Mr Webster, it appears to me it will be very difficult if not impossible to bring any well founded claims upon the U.S. Govt. arising out of these cases.

Capt Jewett's letters were either wicked or ignorant if Penn is right; & if they were either, & misled the Department, their claims fail for want of basis; - for if Penn is right our Govt. could not give what it did not possess, & if the letters were wicked or ignorant they fall to the ground.

But still I have no doubt Mr Clay will be careful about surrendering our claims. I should be against Domingo under the case as it now appears to me to stand. Have no doubt Mr Clay will hold on & make the best possible case; at all events I would hold on to our rights whatever they are, if even suspended.

Have the honor to be with the greatest  
Respect,  
Yours truly,  
Chas. Smith  
William Miles.

Recd Nov 1st

+ Paita 28<sup>th</sup> Sept. 1852.

How Daniel Webster  
Secretary of State  
Washington

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Sir,

I arrived at this place  
this morning.

I was glad to find the duplicate of  
the order for Capt M<sup>c</sup>Auley I wrote to you  
from New York to forward to me here, has  
been received by the American Consul at  
this port to whom it was sent by Mr Riley,  
from New York.

The steamer will sail for Callao, at  
about four o'clock this afternoon, & is to  
touch at Lobos Islands on the way in  
order to enable me to see the Commander  
of the Peruvian forces now there, or Capt  
M<sup>c</sup>Auley if there, & leave the Naval Order.

Mr Garland Esq<sup>r</sup> of this city, & of the Commercial  
House of Mr Ruden Consul & now absent at  
Lima, is acting Consul of the United States  
at this port, Mr Garland will enclose the  
duplicate order to Capt M<sup>c</sup>Auley addressed  
to the Lobos Islands, & will confide same  
to my care for delivery to Capt M<sup>c</sup>Auley  
or in his absence to be left there for him  
in the hands of the Peruvian Authorities.

The original naval order I shall take out  
with me to Mr Clay.

Have the honor to be with the greatest  
respect

Your obt<sup>l</sup> servt.

William Miles.

Despatch agent U.S. States.

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I shall be at the Islands tomorrow morning  
Nothing has occurred there, than is known here  
nor is the Commodore known to be there or any  
of our vessels.

Rec'd 18 Nov.

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On board Am. Steamship  
United States at sea  
November 10<sup>th</sup> 1852.

To the Honorable  
Daniel Webster  
Secretary of State  
Sir,

I venture to make this  
communication to the Department of State  
from my own notes, most of it not being  
mentioned by Mr. Blay or Mr. Triado. Perhaps  
it may be useful in connexion with the of-  
ficial papers prepared by those two gentle-  
men. Mr. Triado's note to Mr. Blay of 23<sup>d</sup>  
October was printed in Lima and published  
there the day before I sailed.

I wrote to the Department last at Paita  
on the 28<sup>th</sup> of Sept<sup>r</sup>, and arrived at the Lobos  
Islands on the next day the 29<sup>th</sup>.

The Lobos de Tierra Islands lie within  
ten miles of the coast, and the Lobos  
de Afuera Islands lie thirty miles dis-  
tant Southwesterly from the others and  
thirty five miles from the main coast.

On coming up to the anchorage at the  
Lobos de Afuera Islands, I saw the Peru-  
vian Shipping at anchor, and the national  
flag flying at the top of the highest hill.

A boat

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A boat from the Peruvian Commander General Durostua came on board bringing his secretary who received from me the duplicate Naval Order for Commodore M<sup>r</sup>. Cauley and said the Ship Mantius from Acapulco had called there to load Huano, had been ordered away, and had gone to Callao, where she would be chartered to load at the Chincha Islands.

The absence of Com<sup>dr</sup>. M<sup>r</sup>. Cauley, who from the Gallapagos Islands proceeded to Talparaiso, happily prevented a collision in the only case in which it could have occurred, that of the above named Ship Mantius.

Arrived at Callao October 1<sup>st</sup>, and proceeded at once to Lima, where I delivered to Mr. Lay the despatches, and the following note.

On board Steam Ship Santiago off Callao Oct. 1852.

Mr. Lay Esq.

Charge d'Affaires U.S.

Lima &c. &c.

Sir, I was despatched at Washington 30<sup>th</sup> August and sailed from New York 1<sup>st</sup> Sept<sup>r</sup> for Aspinwall.

Before sailing I wrote to Mr. Hunter

to send

to send for me by mail through Alsop & Co.  
New York to Paita a Duplicate of the  
Naval order to Com: McCanley.

I am glad to say the order was received  
at Paita by our Consul the day I arrived  
there 28<sup>th</sup> Sept. The Consul enclosed it  
in a cover addressed to Com: McCanley,  
placed it in an envelope addressed to  
General Denstua at Lobos de Afuera  
and confided it to me. I left it at the  
Lobos Islands where we touched on the  
29<sup>th</sup> of September.

One American ship from Acapulco had  
called there for Buano, and being ordered  
off, went as advised to do to Callao, when,  
I was told she was to be chartered by the  
Peruvian Government to load at the  
Chincha Islands.

The Consul of Peru at Panama was very  
kind and the British Steamer under  
Peruvian arrangement, afforded me the  
facility of touching at the Lobos Islands de  
Afuera. The original Naval Order, which  
I received at Washington, I will deliver to  
you on my arrival this morning at Lima  
with despatches for the Legation.

I am with great respect &c. (Sgd)

William Miles.

While

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While I remained at Lima, I assisted Mr. Gray daily in his office, did the copying and transcribing carried notes and the answers to and from the Peruvian Secretary of State Mr. Torado, looked for books in the Public Library, and was occupied under Mr. Gray's direction, until my departure from Lima.

I left Lima 27<sup>th</sup> of October: on the 29<sup>th</sup> we reached the Islands of Lobos de Afueria. The U.S. Ship Harlan had arrived there on the 20<sup>th</sup> of October from Callao, and sailed the same day. The Commodore had issued

(Copy.)

### A Proclamation,

(To All whom it may concern:

Whereas it appears that a number of vessels said to belong to citizens of the United States have been chartered to proceed to the Islands of Lobos for the purpose of taking in cargoes of Guano: — I have to inform all such that I have been instructed by my Government at Washington to abstain from protecting any vessels of the United States which may visit these Islands for purposes forbidden by Decrees of the Peruvian Government: — And I am forbid from aiding or abetting any citizens of the

United

United States who may forcibly resist the execution of the laws of Peru.

Given under my hand on board the U.S. Frigate *Raritan*, (off the Looe Islands,) on the 18<sup>th</sup> day of October 1852.

(Sgd) C. S. McCauley  
Commander in Chief of the U.S.  
Naval forces in the Pacific Ocean.

By order of the  
Commander in Chief

(Sgd) J. H. McKean Secretary.

The above I copied from the publication made at Paita October 30<sup>th</sup> 1852.

(The U.S. Ship *Portsmouth* was expected at Looe Islands in November or December. The only danger of any collision in the interim, will be in the cases of any vessels that may arrive and attempt to violate the warnings of Mr. Blay and Com. McCauley. But General Deustua is well aware of the delicacy of his position, and will make use of every possible mild means in his power to avoid difficulty.

Just after leaving the Islands, I saw a large American merchant ship, in ballast trim, having an elliptical stern, and near Looe de Tierra, standing out westerly on a wind for the Islands of Looe

de Afuera

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de Afuera, where she would probably arrive the next day.

Begin

The Peruvian People consider that the Huano belongs to their nation, and at the beginning of its exportation as a commercial commodity to other countries much opposition was made. At present it is viewed as a source of Revenue for the public necessities like our Public Lands, and as such it is considered to be of the greatest importance.

End

It consists of the deposits of the dung and decayed bodies of Birds and Seals which inhabit the Sea Coast and Islands of Peru. Its existence and preservation are owing to some great natural cause which produces an almost total want of Rain, and consequently a perpetual aridity, over all that part of the Sea Coast which extends from the Desert of Attacama, to the Gulf of Guayaquil for many leagues into the interior. The same want of Rain extends also from the Sea Shore outwards and over the adjacent Sea and Islands.

Perhaps every country would possess Huano, if they all had arid and desert parts like this.

Most of the land in this region is irrecoverably lost to agriculture, and the rest is

x literal "Dung."

irrigated

irrigated at great cost and labor, but would be much more valuable and happy, if it could lose the treasury of treasures lying along its desert and arid coast, and upon its Islands, - in exchange for the gift of the rains that visit and fertilize other and more fortunate regions.

I cannot assert that aquatic Birds prefer this dry region, but it appears so from their great numbers. As we passed very near the outer Lobos de Afuera, we observed a space equal to more than two miles square entirely covered over by fine grotesque Pelicans placed as closely as they could stand to each other; - and in other places, and nearer the water, large flocks of bright eyed intelligent looking Penguins standing erect; and all around us innumerable other sea Birds, on the wing and in the water, of every variety, and as far as we could see them. The flight of the birds was back and forth from the outer towards the inner Islands as we passed along and towards evening the numbers flying towards the mainland from the direction of both groups of Islands were enormous.

One of the outer islands was entirely covered by seals lying in different ways, and moving about.

Fish also are plentiful and the fishermen

dry salt

dry salt them for sale as we do codfish; - This also common in this region to sail for leagues together through red fish spawn, which sometimes absolutely colours the water red for half a day together.

All this dry region often merits the observation of persons qualified to report upon its peculiarities with a view to apply the results to our own desert country lying west of the Rocky Mountains.

The subjects of the Incas were accustomed to observe spots where the wild date and acacia trees sometimes grow in the Desert. I have seen such places near Pico, where the sand had been removed from spaces containing several acres of ground, and below the sand, the crust of hard vitrious earth, over a foot thick, dug out, removed and thrown out about the outsides all around, as we would dig a cellar, until sweet earth and dampness were reached, over the entire space, and have myself beheld a beautiful vineyard planted, the vines filled with grapes, and growing in the desert, where it never rains, is not irrigated, or any water is visible! These places are called "Hoyas." The Inca Indians used these places for corn planting. They had not the Vine.

The Inca Indians are Christianized, and more or less amalgamated with the white race. They are citizens of the Republic, and their pursuits are agriculture, the mines, and the fisheries. These

are savage

are savage tribes in the interior, who were not conquered by the Incas, and still remain free.

It is to be considered whether the sort of use mentioned by Bolnet, constitutes possession and occupancy; and if so, whether the visits of our sealers and whalers were intrusive; the Spanish ships occupied the coasts from the earliest periods until 1826. The Government of Peru although it was agitated and revolutionary, was organized before 1828. the period of my first visit to Lima, and then possessed a fleet under Admiral Guise, engaged in a war with Colombia at Guayaquil.

The prohibition against Whaling on the coast is not enforced with any rigour if at all. On entering into the harbour of Paita on my way to Lima, I saw one of our whaleships trying to catch a whale at the mouth of the harbour, and I learned at Lima that two weeks before I arrived there, a whale was actually caught in the port of Callao amongst the shipping lying there at anchor, by the boats of one of our whaleships the people looking on and enjoying the sight. I have seen the same thing in Chile at the port of Coquimbos many years ago.

It is certain that our whalers and sealers visiting all these coasts have heretofore been

tacitly

tacitly allowed privileges both under Spain and Peru, but their visits were occasional and not made with a view to occupancy or the acquisition of any rights, and only for whale fishing and catching seals, but which pursuits were prohibited before Huano became an article of commerce. It is thought in Peru that the whole number of Sealers who have ever visited the Lobos Islands cannot exceed 45 vessels; 20 or 30 of these are known and considered intruders, as are and always have been all our whalers and sealers who visit or may have visited their coasts. Any rights insisted upon from the habits of our whalers and sealers might be made to include all the harbours and coasts of Chile and Peru, Ecuador, and New Granada.

The day I left Lima Mr Triado the Secretary of Foreign Affairs showed me some Documents just received by him from San-Bayague, near the Lobos Islands. - Shewing the use of those Islands under permits for the repairs of vessels there in 1832, and stated to me that others would be received, and sent forward if required; He also shew the use made of the outer Lobos Islands at various periods on account of the fine harbour there.

Both

Both Spain and Peru undoubtedly made more or less use of the Lobos Islands, as well as the Incas Government at every known period. And when Peru forbid their use to foreigners Mr. Learned acquiesced with a request in behalf of the citizens of the United States, which being refused the matter dropped.

There is a French chart in the Foreign Office at Lima which was published in the year 1753 at Paris by order of M. Rouille Secretary of State for the Marine Department, which puts down both groups of Lobos as Peruvian.

Mr. Clay has sent to the Department an estimate of all the Huano possessions of Peru. The Government will readily agree to any mode for the disposal of it that is most agreeable to its customers, and not injurious to its own interests, and now has the subject under consideration. The Government is of opinion that if it should sell its Huano at the Islands at a fixed price per ton - at all times - that it would fall into the hands of speculative men: opolies abroad, and be of no advantage in reducing the price to the agriculturalists. The agents now employed for the sale of it abroad make cash payments when required in advance of sales, to meet the wants of Peru, and receive interest and commissions for their services.

If the

If the Government confined the export of Huano abroad for sale by its Agents to the Flag of Peru, there would be just ground for complaint; and, such laws might be enacted as would create Peruvian Whalers Sealers and Huano freighting vessels, which would injure our Commerce and Fisheries.

The exports of Huano to foreign countries at present is about as follows per annum:

	Tons:	Vessels:
England and parts of Europe	110.000	180.
United States	30.000	90.
France	7.000	20.
Spain	5.000	12.
West Indies	1.000	1.
China	1.500	3.
Other Countries	4.500	12.
Year -	<u>Tons 150.000</u>	<u>larger 300.</u>

And Peru incurs the following expenses in effecting the sale of Huano abroad, as the disposal of it is conducted at the present time by its agents, who receive and sell it on account of the Government. The price at which it is sold in the United States for instance is per ton . . . . \$46.-

Deduct the average cost  
per ton of freight to the United  
States . . . . . \$15.-

Shipping

\$ 46-

\$ 15-

Shipping expenses at

the Plants . . . . . 2.50

Charges in U States . . . 2.50

Commissions in U States . . 2.30

other expenses . . . . . 70

\$ 23.-

Nett for a ton \$ 23.-

The sales of one hundred and fifty thousand tons a year at \$ 23. per ton nett will produce \$ 3,450,000. a year for Peru, and the whole product being at \$ 46. per ton \$ 6,900,000. - The same sum is shared amongst its customers or thereabouts. Out of her portion Peru has to pay interest upon all advances of cash made, keep up a police force to guard it, and pay for all the apparatus used.

If Quano were sold at the Islands as Refuels sought for it, there would be requisite the same amount of labour always to be in readiness, but not so equally or constantly employed, and operated upon by the demand:

- While the supply abroad would also be unequal and sometimes scanty, which would affect its price and operate so as to create at times more or less speculation.

The Government of Peru consider it very  
important

important to manage the disposition of their  
Huano in the best possible way.

As the business is now conducted the  
flags of most of the Countries to which it is  
sent for sale carry it to market as nearly  
as may be under their own flags and in  
their own vessels, so that each nation  
that makes use of it does its own transport-  
ation under Charters from Peru. I think  
it is but fair to say that in this way  
Peru divides about equally with every country  
that uses it and carries it home in its own  
vessels, the whole of the product of all the  
Huano used by its people, by giving it the  
freight and other charges of transportation  
and sale.

The Huano is a matter of more consequence  
to Peru than their Customs Revenue, as a  
means of developing their resources and  
making the internal improvements they are  
now at work upon. Without this means they  
will have to discontinue them, and fall  
back again perhaps into anarchy and  
retrograde in civilization. With its assist-  
ance they have already reduced the Custom  
House duties upon merchandise imported  
into Peru.

At the moment of the agitation of  
this

this question, Peru was making advances in population, education, and refinement, and in commerce, trade, and liberal laws. And Lima which in 1828 had about 40,000, souls, now contains over 115,000 souls, and has a number of colleges, schools, hospitals, and benevolent institutions; has a rail road to Callao and several others contracted for and in preparation for construction.

The Peruvian Government were alarmed first by the proceedings which took place in England and at once occupied the Lobos Islands by a military force.

I have always considered that the proceedings which followed in the United States involved fraud with a view to the making of claims for indemnity upon hypothetical outfits, expenses, and losses.

And as to the value of such claims to go and take Huano, if innocent, which would have to be shared with every nation, and could not be exclusive of Peru, if the Lobos Islands were free to the world; I have been told in Peru that it would cost as follows to get it to the United States:

expenses of procuring & shipping	\$ 5.-
freight to U States	15.-
expenses in U States	5.-
<u>total</u>	<u>\$ 25.-</u>

A cargo

A cargo of this Guano has recently been sent by Peru to the United States on board of the American Ship *Chica*, as a specimen of its quality which it is said is not so good as that at the Chincha Islands.

Mr J Harrison Smith of Panama, holds four charter parties sent out by a Mr Benson of New York as late as the 19<sup>th</sup> of October, made out for ships or vessels called the,

*Hampton*

*Golden Era*

*Z. D.*

*Berlin*,

dated back in July. — sent out Mr Smith told me not signed as I understood him, and that one of these vessels, the *Golden Era*, has another charter besides for the Chincha Islands.

Peru has been put to much expense for the protection of her Guano possessions owing to the agitation of the subject, and the opposition political party has seized upon the occasion to blame the administration and create fears of a civil revolution which would be expensive and injurious to the progress of Peru: And to these perils the country is still exposed as most of the troops and all the ships are now at and near the Lobos Islands, and the other parts of the country are left exposed owing to their absence.

absence.

It is possible if the right of Peru is not recognized, that Government will place from 3000 to 5000 laborers upon the Islands and throw all the Huano lying there into the sea so as to increase its value at other places.

That it will order all Americans to go away out of the country: Will seize or order away all the American vessels: And hold no intercourse whatever with the United States.

That Americans will be unable to collect their debts: That their lives may be in possible jeopardy: And their property be confiscated in retaliation.

I heard these things stated by Americans, persons of respectability, residing in the country, as matters that could occur, — and it is my duty to say that they all believe in the just right of Peru in the premises, and are not without some anxiety until the question is put at rest.

It is possible, in the absence of an American vessel of War, however small, that the conduct of some persons having vessels may compel General Donstua to use force to drive them away from the Islands.

We ought to have such a vessel as the Schooner Dolphin was, always stationed at Callao, a healthy

healthy and central Port, or else a small Steamer. The Dolphin was there several years and was always officered, manned and provisioned from the Squadron.

The Peruvians since 1847, when I was there before, have become, if I may say so very much Americanized; I was told that both Chile and Peru wish to have cheap lines of American Steamers running to and from Panama; and I know that in Peru a very great interest is felt for the completion of the Panama Rail Road, so as to open a quick and easy intercourse between the United States and Peru.

The arrival of the Naval Order in Lima gave great pleasure, which will be increased if the course Mr Clay has taken is approved by the President; which will settle the question, I know, in a manner most agreeable to Peru, - and, in my opinion, most likely to influence usefully the future interests of the United States with Peru, if it is done kindly and promptly.

I shall be glad to take the result to Lima if the Department will send me.

If the President intends to take any action as to the course of Captain Jewett and others, I shall be glad to assist in any way in which the Department thinks I can be made useful.

589

Having mentioned the Panama Rail Road, and as it is a work that is being executed by some of our countrymen, I will report to the Department that Twenty four miles of this great work are now completed, and in most successful operation; constituting a noble monument of energy and enterprise in an undertaking that richly deserves favorable notice and regard.

End

I have the honor to be with the greatest respect,

Your most obt. servt

William Miles.

Nov 14. 1852  
Mr. McKim

591

Wm. Hunter Esq  
Chief Clerk

Albion 28<sup>th</sup> Nov. 1852

Department of State  
Washington

Sir,

I write to inform the Department  
of my safe arrival here this morning early. I shall  
go over to Panama as fast as possible. I presume  
I shall have to wait there until the 9<sup>th</sup> of Dec.  
& reach Lima 18<sup>th</sup> Dec.

I remain with great respect  
Your obt. servt.

William Miles.

Recd 20. Dec. Mr Mackie, for file 593

Hon Edward Everett  
Secretary of State  
Washington

Panama 4 Decr. 1852.

Sir: I hand you the following  
Copy

Copy:

Panama 12<sup>th</sup> Nov. 1852.

William Miles  
New York  
Dpr.

I have received lately a somewhat  
singular correspondence from a Mr A.G. Benson New York  
and forwarding me four different Charter parties for vessels:

Hampden Charter party under date New York 17 June 1852.  
Golden Era " " " " " " 13 July " " "  
Z. D. " " " " " " 13 " " "  
Berlin " " " " " " 13 " " "

With letters addressed to the Masters of the above vessels for  
me to present to them. The Master of the Golden Era when  
I called upon him, produced another Charter party to load at the  
Chincha Islands - whereas Mr Benson's instructions are for  
the vessels to call at the Lobo Islands to load.

Now you will oblige me much at your leisure by making  
some enquiries into this matter, for if the affair is not  
perfectly in order, I do not wish, neither will it answer my  
purpose to continue the correspondence with the above  
party.

And I am, Dpr Yours truly,  
(Signed) J. Benson Smith

594

The original of the aforesaid letter was sent to me at New York, addressed to the care of Theodore W. Riley Esq. Alsop & Co. whom I write with this to send you the original letter.

I have been permitted by Mr. Smith to copy the following letter out of or from his Book of pres copies of letters:

[Copy.]

A. S. Benson Esq  
New York

Panama 21 Sept. 1852.

Dear Sir,

Yours dated 8th instant with enclosures is at hand. I called upon the master of the Golden Era personally, and after having read your letter, [he] refused to receive it saying that he did not know you. At the same time he produced a charter party, entered into in February last binding him to proceed to Callao and from there to the Chincha Islands to load Guano for the States.

The Barque J. D. has not yet arrived,  
and I am Sir,  
Yours (Signed)

J. Harrison Smith.

As Mr Benson & Mr Jewett may think of claims hereafter for damages, — I think you had better write some questions to Mr Smith and send them to Mr Corwine to be answered: asking for memos of the prices & ton upon the four charter parties, & for copies of Mr Benson's letters to Mr Smith. Mr Smith seems willing but wants to be <sup>requested</sup> ~~asked~~ by you direct so as not to become compromised as a volunteer.

You will do as you please of course, but I had trouble to get at the letter to Benson upon a pledge of confidence. I wish Mr Webster could have seen it. —

I shall sail for Lima 9th inst: meantime will get any other information I can & will give the foregoing to Mr Clay.

At Lima I suppose the Gov will name a Commission to ascertain the facts in all cases; and the clearances & other facts will assist in getting at the truth.

I shall do all I can and report to Mr Clay.

Yours hastily and informally and remain

Sir, with great respect

Yours obt<sup>l</sup>

William Stiles.

Reader of Despatches &c. for the  
Dept of State.

P.S. Do get the information from Smith this Consul Corwine formally & put it on file. It is a silence Benson Jewett & Co. for ever; & a comfort to Mr Webster's memory.

Will

596

Hon. Edward Everett  
Secretary of State  
Washington

Mr Smith agrees to answer questions - he states to me - if properly called upon - so as to save his own responsibility & not become mixed or compromised with Mr Benson. Being an Englishman he will have to be asked or requested by you to answer on the responsibility of the U.S. Government:

I would propose: -

1. Call for the charter parties
2. Copies of Mr Benson's letters.
3. His answers to Mr Benson's letters.
4. Recollections of conversations with Captains of vessels.

John Hanstamman Esq Peruvian Consul at this place, on my arrival, issued the enclosed public notice or warning, from the tenor of which I make the inference stated in my note to you 4<sup>th</sup> Dec<sup>r</sup>. herewith, from which I suppose that the Government at Lima will name a Board of Commissioners to examine into the facts, and the cases of such Vessels as apply with their charters to be loaded with Guano, by and on account of the Peruvian Government.

William Miles.

Panama 4 Dec<sup>r</sup>. 1852.

Hon: Edmund Evarts  
Secretary of State  
Washington

# The Panama Herald.

PRINTED AND PUBLISHED,

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PANAMA, N. G., TUESDAY, NOVEMBER 16, 1852.

WHOLE NO. 121.

## THE PANAMA HERALD

IS PUBLISHED EVERY TUESDAY AND FRIDAY, BY  
JOHN POWER & JAS. H. MIDDLETON,

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23 S. W. CORNER OF MAIN ST. AND CATHEDRAL PLAZA

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HENRY H. MUNRO

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Commission, Shipping and Forwarding

MERCHANTS,

may4

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Groceries,	Drugs, Spices,
Paints, Oils,	Wines, Liquors,
Cigars,	Pickles, &c. &c.,

of the very best qualities and at the lowest possible rates.

Vessels furnished with all the supplies they want on liberal terms. [mar30]

SIMON HABER.

SAM. H. LEVY.

### HABER & LEVY,

American Clothing Store,

Corner Store, opposite the Orleans House.

Gold Dust Bought and Money Exchanged

Panama, June 15, 1852-tf.

### EUGENE FERY,

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C. & Co., General Agents and Commission Merchants, have constantly on hand the best Havana Cigars, as also other articles of Merchandise. sept22-tf

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18



52

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Liberal advances made on Consignments of Merchandise, &c., on liberal terms. gnmjul

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At the Island of Taboga,

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### LIGHTERAGE BUSINESS, AT TABOGA ISLAND.

### WALTER G. DYER

RESPECTFULLY informs his friends and former customers that he has again resumed the Business of LIGHTERAGE, in all its branches. Persons patronizing him may rely upon their business being strictly attended to—and on the most reasonable terms. He hopes to receive a liberal share of the public patronage.

Taboga, July 19, 1852

ju20-tf

### Dissolution of Co-partnership.

NOTICE is hereby given, that owing to the death of the acting partner of the firm of NELSON, HYAMS & CO., of Aspinwall, the association is now dissolved. All accounts will be settled, and debts liquidated by the special partners.

WM. NELSON,  
H. H. MUNRO,

### THE LATEST FASHIONS, Just received from the U. States.

THE Subscribers have just received direct from New York and New Orleans, and are now opening, at their establishment in Main Street, opposite the Orleans House, a most extensive assortment of

### Gentlemen's Wearing Apparel

Consisting of:

Cassimeres, Merino, Linen and Cottonet Pantaloon

Cut and made up in New Orleans, by the

### General Remarks on the Winds and Weather, and the Navigation of the South-west Coast of Mexico.

By CAPT. BASIL HALL, R. N.

On the south-west coast of Mexico, the fair season, or what is called the summer, though the latitude be north, is from December to May inclusive. During this interval alone it is advisable to navigate the coast, for in the winter, from June to November inclusive, every part of it is liable to hard gales, tornadoes, or heavy squalls, to calms, to constant deluges of rain, and the most dangerous lightning; added to which, almost all parts of the coast are, at this time, so unhealthy, as to be abandoned by the inhabitants. At the eastern end of this range of coast, about Panama, the winter sets in earlier than at San Blas, which lies at the western end.—Rains and sickness are looked for early in March at Panama; but at San Blas, rain seldom fall before the 15th June; sometimes, however, it begins on the 1st June, as we experienced. Of the intermediate coast I have no exact information, except that December, January, and February, are five months everywhere; and that, with respect to the range between Acapulco to Panama, the months of March, April, and half of May, are also fine—at all other times the coast navigation may be generally described as dangerous, and on every account to be avoided.

From December to May inclusive, the prevalent winds between Panama and Cape Blanco de Nicoya are N. W. and northerly. From thence to Realejo and Sonsonate N. E. and easterly. At this season off the Gulfs of Papagayo and Tecantepec there blow hard gales, the first being generally N. E., and the latter north. These, if not too strong, as they sometimes are, gratefully accelerate the passages to the eastward—they last for several days together, with a clear sky overhead, and a dense red haze near the horizon. We experienced both in the Conway in February, 1822. The first which was off Papagayo on the 12th, carried us two hundred and thirty miles to the W. N. W.; but the gale we met on crossing the Gulf of Tecantepec, on the 24th, 25th, and 26th, was so hard that we could show no sail, and were drifted off to the S. S. W. more than a hundred miles. A ship ought to be well prepared on these occasions, for the gale is not only severe, but the sea, which rises quickly, is uncommonly high and short, so as to strain a ship exceedingly.

From Acapulco to San Blas what are called land and sea-breezes blow: but as far as my experience goes, during the whole of March they scarcely deserve that name. They are described as blowing from N. W. and West during the day, and from N. E. at night; whence it might be inferred, that a shift of wind, amounting to eight points, takes place between the day and night breezes. But during the whole distance between Acapulco and San Blas, together with about a hundred miles East of Acapulco, which we worked along, hank for hank, we never found, or very rarely, that a greater shift could be reckoned on than four points. With this, however, and the greatest diligence, a daily progress of from thirty to fifty miles may be made.

well to the westward, without seeking to make nothing; westing being, at all stages of of that passage, by far the most difficult to accomplish. On approaching Acapulco the shore should be got hold of, and the land and sea-breezes turned to account.

This passage in summer is to be made by taking advantage of the difference in direction between the winds in the night and the winds in the day. During some months, the land-winds, it is said, come more off the land than at others, and that the sea-breezes blow more directly on shore; but in March we seldom found a greater difference than four points; and to profit essentially by this small change, constant vigilance and activity are indispensable. The sea-breeze sets in, with very little variation as to time, at noon, or a little before, and blows with more or less strength till the evening. It was usually freshest at two o'clock; gradually fell after four; and died away as the sun went down. The land-breeze was by no means so regular as to its periods or its force. Sometimes it came off in the first watch, but rarely before midnight, and often not till the morning, and was then generally light and uncertain. The principal point to be attended to in this investigation is, to have the ship so placed at the setting in of the sea-breeze, that she shall be able to make use of the whole of it on the larboard tack, before closing too much with the land. If this be accomplished, which a little experience of the periods renders easy, the ship will be near the shore just as the sea-breeze has ended, and there she will remain in the best situation to profit by the land-wind when it comes; for it not only comes off earlier to a ship near the coast, but is stronger, and may always be taken advantage of to carry the ship off to the sea-breeze station before noon of the next day.

These are the best directions for navigating on this coast, which I have been able to procure: they are drawn from various sources, and, whenever it was possible, modified by personal experience. I am chiefly indebted to Don Manuel Luzarragai, master-attendant of Guayaquil, for the information they contain. In his opinion, were it required to make a passage from Panama to San Blas, without touching at any intermediate port, the best way would be to stretch well out, pass to the southward of Cocos Island, and then run with the southerly winds as far west as 96° before hauling up for San Blas, so as to make fair wind of the westerly breezes which belong to the coast. An experienced old pilot, however, whom I met at Panama, disapproved of this, and said the best distance was fifteen or twenty leagues all the way. In the winter months these passages are very unpleasant, and it is indispensable that the whole navigation be much further off-shore, excepting only between Acapulco and San Blas, when a distance from ten to twelve leagues will be sufficient.

The return passages from the West are always much easier. In the period called here the summer, from December to May, a distance from thirty to fifty leagues ensures a fair wind all the way. In winter, it is advisable to keep still farther off, say a hundred leagues; to avoid the calms and incessant rains, squalls, and lightnings, which everywhere prevail on the coast at this season. Don Manuel Luzar-

they want on liberal terms.

[mar30]

SIMON HABER.

SAM. H. LEVY.

**HABER & LEVY,**  
American Clothing Store,  
Corner Store, opposite the Orleans House.  
Gold Dust Bought and Money Exchanged  
Panama, June 15, 1852-tf.

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Children carried across the Isthmus in safety.  
GORGONA, N. C. my28

**ICE FOR SALE.**  
A CARGO of ICE, has just been receiv-  
ed direct from Boston, per bark *E. L.*  
*Parsons*, and will be sold in lots to suit pur-  
chasers.

This cargo will be placed at the lowest pos-  
sible rates, and of course, the more liberal the  
demand, the cheaper it can be disposed of  
For terms, apply to

GARRISON & FRETZ,  
Consignees.  
aug27

**JOB PRINTING**  
Executed with neatness and despatch at this  
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**RESPECTFULLY** informs his friends and  
former customers that he has again re-  
sumed the Business of **LIGHTERAGE**, in all  
its branches. Persons patronizing him may  
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He hopes to receive a liberal share of the  
public patronage.  
Taboga, July 19, 1852 jy20-tf

**Dissolution of Co-partnership.**  
**NOTICE** is hereby given, that owing to  
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of Aspinwall, the association is now dissolved.  
All accounts will be settled, and debts liquida-  
ted by the special partners.  
WM. NELSON,  
H. H. MUNRO,  
aug20-tf

**THE LATEST FASHIONS,**  
Just received from the U. States.  
**THE** Subscribers have just received direct  
from New York and New Orleans, and  
are now opening, at their establishment in  
Main Street, opposite the Orleans House, a  
most extensive assortment of

**Gentlemen's Wearing Apparel**  
Consisting of:  
Cassimeres, Merino, Linen and Cottonet Pan-  
taloons  
Cut and made up in New Orleans, by the  
most celebrated Tailors—Coats, Coatees,  
and Jackets, of all styles and materials;  
Vests, in great variety;  
Fancy Cravats; Pocket Handkerchiefs;  
Socks; Shirts, plain and colored;  
Boots and Shoes, &c., &c.  
Also, a large assortment of India Rubber  
Goods, to suit the season;  
Panama Hats, in great variety;  
All at the most moderate rates.  
HABER & LEVY,  
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**ST. LOUIS HOTEL,**  
IN GORGONA.

**THIS** Establishment has been opened  
by the above named gentlemen, and  
under the firm of **MONTI & VERGRINI**, and  
fitted up by them in the most complete man-  
ner; and they desire to call the attention of  
their friends and the public to the fact, that it  
is in excellent order and capable of accommo-  
dating a large number.

Mr. MONTI of this firm, was formerly asso-  
ciated with L. MERTENS, in the "Panama  
Exchange," Panama.  
Oct. 22, 1852,

to the eastward—they last for several days  
together, with a clear sky overhead, and a  
dense red haze near the horizon. We expe-  
rienced both in the Conway in February,  
1822. The first which was off Papagayo on  
the 12th, carried us two hundred and thirty  
miles to the W. N. W.; but the gale we met  
on crossing the Gulf of Tecoaatepec, on the  
24th, 25th, and 26th, was so hard that we  
could show no sail, and were drifted off to the  
S. S. W. more than a hundred miles. A ship  
ought to be well prepared on these occasions,  
for the gale is not only severe, but the sea,  
which rises quickly, is uncommonly high and  
short, so as to strain a ship exceedingly.

From Acapulco to San Blas what are called  
land and sea-breezes blow: but as far as my  
experience goes, during the whole of March  
they scarcely deserve that name. They are  
described as blowing from N. W. and West  
during the day, and from N. E. at night;  
whence it might be inferred, that a shift of  
wind, amounting to eight points, takes place  
between the day and night breezes. But dur-  
ing the whole distance between Acapulco and  
San Blas, together with about a hundred miles  
East of Acapulco, which we worked along,  
hank for hank, we never found, or very rarely,  
that a greater shift could be reckoned on than  
four points. With this, however, and the  
greatest diligence, a daily progress of from  
thirty to fifty miles may be made.

Such being the general state of the winds  
on this coast, it is necessary to attend to the  
following directions for making a passage from  
the eastward.

On leaving Panama for Realejo or Sonson-  
ate, come out direct to the north-westward of  
the Isla del Rey—keep from twenty to thirty  
leagues off the shore as far as Cape Blanco de  
Nicoya, and on this passage advantage must  
be taken of every shift of wind to get to the  
north west-ward. From Cape Blanco  
hug the shore, in order to take advantage of  
the north-easterly winds which prevail close  
in. If a Papagayo (as the strong breeze out  
of that gulf is called) be met with, the passage  
to Sonsonate to Acapulco keep at the distance  
of twenty, or at most thirty leagues from the  
coast. We met with very strong currents  
running to the eastward at this part of the  
passage; but whether by keeping farther in  
or farther out we should have avoided them,  
I am unable to say. The above direction is  
that unusually held to be the best by the old  
coasters. If, when off the Gulf of Tecoaate-  
pec, any of the hard breezes which go by that  
name should come off, it is advisable, if sail  
can be carried, to ease the sheets off, and run

on this coast, which I have been able to pro-  
cure: they are drawn from various sources,  
and, whenever it was possible, modified by  
personal experience. I am chiefly indebted to  
Don Manuel Luzarragui, master-attendant of  
Guayaquil, for the information they contain.  
In his opinion, were it required to make a  
passage from Panama to San Blas, without  
touching at any intermediate port, the best  
way would be to stretch well out, pass to the  
southward of Cocos Island, and then run with  
the southerly winds as far west as 96° before  
hauling up for San Blas, so as to make fair  
wind of the westerly breezes which belong to  
the coast. An experienced old pilot, how-  
ever, whom I met at Panama, disapproved of  
this, and said the best distance was fifteen or  
twenty leagues all the way. In the winter  
months these passages are very unpleasant,  
and it is indispensable that the whole naviga-  
tion be much further off-shore, excepting only  
between Acapulco and San Blas, when a dis-  
tance from ten to twelve leagues will be suffi-  
cient.

The return passages from the West are al-  
ways much easier. In the period called here  
the summer, from December to May, a dis-  
tance from thirty to fifty leagues ensures a fair  
wind all the way. In winter, it is advisable  
to keep still farther off, say a hundred leagues;  
to avoid the calms and incessant rains, squalls,  
and lightnings, which everywhere prevail on  
the coast at this season. Don Manuel Luzur-  
ragui advises, during winter, that all ports on  
this coast should be made to the southward  
and eastward, as the currents in this time of  
the year set from that quarter.

If it be required to return direct from San  
Blas to Lima, a course must be shaped so as  
to pass between the Island of Cocos and the  
Galapagos, and to the south-eastward, till the  
land be made a little to the southward of the  
equator, between Cape Lorenzo and Cape St.  
Helena. From thence work along shore as  
far as Point Aguja, in latitude 6° South, after  
which, work due South, on the meridian of  
that point, as far as 11½° South; and then  
stretch in-shore. If the outer passage were  
to be attempted from San Blas, it would be  
necessary to run to 25° or 30° South across  
the trade, which would be a needless waste of  
distance and time.

**THE ILLINOIS RAILROAD**, from Naples to  
Jacksonville and Springfield, use castor oil  
entirely on their car wheels. How it will  
operate is yet to be seen. We hope it will not  
cause the engineers to relax their carefulness.  
Time, however, must determine.

# THE PANAMA HERALD.

TUESDAY, NOVEMBER 16, 1852.

## Consular Privileges.

We lay before our readers to day, a carefully prepared translation of the letter written by Sr. Lousaunau, the Consul of Peru, to the Governor of Panama, relative to the point at issue between that official and the authorities; and, also, Gen. HERRERA's "marginal note," with which the said document was returned. Our readers will be enabled therefrom, to form their own opinions, and to draw their own conclusions, which we have no desire to influence, but which we believe the following remarks, of what the "Star" terms "a useless discussion of the principle of international law," will materially assist them in doing.

Neither on the origin of the insult offered to the Consul of Peru, by Sr. Manuel Colunje, Police Officer of this city, nor on the consequences which may arise therefrom, as stated in the "Star," do we consider ourselves called upon to enter. It is sufficient to know that the former has been perpetrated, and that the latter is by no means improbable; but we believe it to be both impolitic and premature to offer any speculations there on. The question at present in dispute is solely a political one, involving a most important principle, and as such, only, do we wish to lay it before the public. It may be briefly stated thus:

The Consul of Peru received from a subordinate but immediate officer of the government, a most gratuitous insult, in his official capacity, the perpetration of which was a direct violation of the laws of New Granada.

The Consul refusing, as he is bound, to draw a distinction between his private and Consular position, demanded of the Governor of Panama the immediate punishment of Sr. Colunje as the only satisfaction the government could afford for the conduct of one of its employees.

In making this request, the Consul asked for no extraordinary concessions on the part of the Governor, for it is a prerogative which the latter possesses, and which the circumstances of the case fully warranted him in putting into execution.

This demand, the Governor, in a note, which the Consul considered as couched in uncalled for and uncourteous language, refused to comply with. Thus far we infer from the letter of the Consul of Peru, which we this day publish,—and which is the only document that as yet we have any right to discuss.

From it we learn that the Consul, on receipt of the Governor's note, laid its contents before his colleagues in this city, and at a general meeting held by them, it was unanimously considered as unsatisfactory, and at the same time, the position assumed by the Consul of Peru in regard to the matter, was approved of by that body.

The Consul of Peru then forwarded to the Governor the note immediately under consideration—in which he stated the steps he had taken—commented in very forcible diplomatic

development and progress of civilization and international intercourse, and it was based upon no definite law or form of constitution, but came directly under the head of what is termed the law of nations.

This is to be sought for, in the usages of different countries, in the opinions of approved authors, in treaties, and in the decision of judges. In the usage of nations it was generally admitted that the consular office did not confer the rights and immunities which Ambassadors and public Ministers have enjoyed from the most remote time: and this view has been adopted by almost all the old writers upon the subject, amongst whom, however, there always was an opinion more or less strongly expressed that the Consul had a right—less than that of a Public Minister—but more than that of a private individual.

The diplomatic character of the Consular office is also admitted, and the fact of his being accredited to the Government of the country, in which he exercises his duties, and not to his own countrymen there resident, as General Herrera assumes in his "marginal note," and this is so well established and universally admitted that it is, unnecessary for us to give the words of the originals, the more so, as the whole question is ably summed up in the "Guide Pratique des Consuls," published in 1851, under the auspices of the Foreign Department of France, by M. Alex. de Clercq, sub-director of the Consulates, in the said department; a work which ably examines all that has ever been written upon the subject, brings down the law to modern usage, and exhibits the practice of the present time, and is the official guide appointed for the instruction of the Consuls of a nation, whose Consular system is acknowledged the best regulated in the world. We, therefore, give the whole extract, which may be found in Book 1, chap. 1, p. 3, 4, 5, and 6, of that work when treating "on the public character of Consuls:"

"The authors upon the subject of international law of the 16th and 17th centuries, have largely examined the question to know if Consuls were, or not, public Ministers. Following in that, the opinion of Wicquart, who only considered them as commercial and mercantile judges, Vattel, Martens, and Klüber, without taking sufficiently into consideration the modifications that have occurred in the institution, have denied the Consuls the character of public agents, which is, however, attached to their functions.

Whoever, says Steck in his "Essay upon Consuls," is commissioned by his sovereign with the affairs of the state and the interests of the nation, is he not a public Minister? Doubt is impossible; whatever may be their rank, whatever may be their subordinate position in respect to other agents commissioned by the same government and accredited to the State, whether they act or speak in their name and under their responsibility, or in consequence of the express order of their superiors, Consuls are not for that, the less invested with a public character; as official envoys and accredited by their country they are Ministers, and their persons, as well as their domiciles are to participate in the respect due to the nation that has appointed them.

Other authors, when writing upon the rights of nations, and particularly upon the subject of Consuls, and amongst others, Borel, have avoided to give a decisive opinion with regard to the question of the diplomatic character of Consuls, and have confined themselves to the declaration, that the protection of the rights of nations cannot be denied to them; that was avoiding to decide the question; for every individual in a foreign country is placed under the protection of the rights of nations; and the question is to know if independent of that general protection, of which they are the first guardians, the Consuls do not enjoy the immunities of the rights of nations grant to the official agents of foreign governments. We can do nothing better in this respect, than to reproduce the opinion emitted by a learned writer upon the subject of international law, late Minister for foreign affairs in Portugal, Mr. Pinheiro Ferreira, observing, at the same time, that the immunities which shield and protect the Consular body, can only be applied to those agents who, not belonging to the commercial community, are directly remunerated as public functionaries, by the state that has instituted them.

In their origin, says Mr. Pinheiro, the Consuls were only simple representatives, established by the foresight of merchants, to defend the interests of their commerce in foreign countries. In this quality, however extensive might be the sphere of their attributions and the influence which, in the exercise of it, they might have upon the public interests, they could not be considered as agents or public Ministers, inasmuch as they did not hold their commission from the nation, but only from a fraction, more or less considerable of the nation."

"But when, after times, these agents instead of representing the commerce of such or such a place, became the representatives of the nation, from the time that no longer the

we shall only add, the practice of Great Britain, as stated in the same work, p. xi.

"Great Britain [like France] attributes to its Consuls a public character, and its agents in South America have often claimed in the midst of the revolutions, that have so frequently agitated those countries, privileges reserved to Ambassadors, and amongst others, right of asylum."

Finally, we would remark that all modern writers draw a marked distinction between the position of Consuls and the privileges which should be accorded to each. It is evidently just, that Consuls who are resident in a country, in no other capacity than that of Consul, who are prohibited or refrained from entering into any mercantile negotiations or private speculation, and who claim a Consular position, and no other, amongst the community, are to be distinguished from those who combine to positions of merchant and Consul, and still more so from those who are citizens of the country which they are accredited to, and not subjects of the power they are accredited by. On this subject, De Clercq says:

"From the enumeration that we have made, there, however results an essential distinction, which is, that generally the immunity and prerogatives granted to Consuls differ, according as such agents are citizens of the State that appoints them, or of that which receives them, and according as they are exclusively public functionaries, or at the same time are employed in trade. It is for the Government that institutes them to weigh in time the advantages or inconveniences of these positions so different from one another, and to select its agents in consequence."

It only remains for us to add, that Mr. Lousaunau belongs to the first class; he is accredited here by his Government as Consul; his position here is solely an official one; as such, he addressed his communications to the Governor, and as such has taken his stand.—The issue of the event, it is impossible to surmise upon. It remains to be seen whether Gen. Herrera will brush up his study of the Law of Nations, sufficiently to see the absurdity of the annotation he has officially appended to the Consul's letter, and then have the good grace and the good sense to correct it, and undo what he has done; or whether the Governor obstinately adhering to the position he has laid down, will require something more forcible than words to teach him a lesson in the science of politics, and the courtesy and respect due, by the commonest rules of politeness to an officer, duly accredited to the Government, of which Gen. Herrera is a distinguished, influential and highly respected, though in this case, we believe, a misjudging and culpably ignorant exponent.

## War; and Rumors of War.

The "Star," of Saturday last, gives its readers a clear summary of the origin of the misunderstanding and points at present at issue, between the Peruvian Consul and the Governor of Panama; had it stopped there—and not indulged in useless surmises as to what Peru will do, and conjured up such terrible visions of cannon balls and bombshells; and left out all those "little dangerous ifs," with the help of which it arrives at the pleasing prospect of "a sight not at all pleasant to think of or safe to witness it at too near a distance," would have done well. Perhaps the "Star" advocated the principle which it quotes from the "Mobile Tribune" in its previous issue, in an article on the case of Mr. Rice, the Consul of Acapulco, which says, "it were best occasionally to punish offending parties and discuss the matter afterwards."

For our part, we dissent in toto from the

## Ten days later from California—Arrival of the Steamer Northernner.

By the kindness of Mr. J. R. Mayer, purser of the Northernner, we are indebted for copies of the California papers to the date of the steamers sailing.—The news is not of any particular interest, that is to say, there have been no particular excitement in the mining speculations. Incendiaries, or murders, every thing seems to have resolved itself into that orderly, sober state of things, which will tend more than all the excitements in the world to the benefit and prosperity of this most important and flourishing state.

By the way, why do people say the United States and California? but of this more anon.

The following is an abstract of the news:

The Steamship Golden Gate arrived on the 20th ult., 13 days from Panama.

Same date Br. Ship Victoria, Wallace master, 65 days from Panama.

Br. Barque London, Daniels, 73 days from Panama, 628 tons of coal.

Br. Brig Black Prince, McPhearson, 64 days from Panama, 300 tons coal.

Oct. 21, U. S. Sloop of War Portsmouth, T. A. Dorin, 55 days from Panama.

On the 21st a fire broke out in a two story building on the south side of Sacramento St. between Dupont and Kearney, in the Chinese quarter of the town; by great exertions on the part of the firemen it was prevented from spreading. Loss estimated at \$15,000.

An institute on the principal of a mining College has been established in San Francisco for the purpose of collecting and teaching the most scientific mode of developing the mineral riches of the state.

No less than three attempts have been lately made to fire the city, but by the energy of the Chief of the fire department the intentions of the miscreants who originated the plot was frustrated.

The Alta gives a list of 119 vessels now over 100 days on their passage from the Atlantic States and Europe,—the value of their cargo is estimated at no less than ten or eleven millions of dollars! there are besides these, 49 vessels varying from 96 to 46 days out, whose cargoes must amount to 9 millions more!

## MEMORANDA OF THE STEAMER NORTHERNER.

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El Correo del Istmo, of the 14th, gives an extract from the Pasatiempo, of Bogota, in which the writer in the latter journal appears very indignant on the adoption of the name of Aspinwall, for the city of Navy Bay, instead of that of Colon, as decreed by the Camara of the Province. We have not space to give the whole article, which is interesting, as showing the feeling towards foreigners entertained by the inhabitants of the interior. The Correo, whilst its regrets the change, defends

In making this request, the Consul asked for no extraordinary concessions on the part of the Governor, for it is a prerogative which the latter possesses, and which the circumstances of the case fully warranted him in putting into execution.

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From it we learn that the Consul, on receipt of the Governor's note, laid its contents before his colleagues in this city, and at a general meeting held by them, it was unanimously considered as unsatisfactory, and at the same time, the position assumed by the Consul of Peru in regard to the matter, was approved of by that body.

The Consul of Peru then forwarded to the Governor the note immediately under consideration—in which he stated the steps he had taken—commented in very forcible diplomatic language on the line of conduct the Governor had taken in the matter—and concluded by again demanding, in his consular capacity, that his previous demand should be complied with.

This note, Governor Herrera returns with a marginal comment. He refuses to receive it as unworthy of a place in the national archives; he denies the right by which the Consular corps took cognizance of the matter; gives his idea of the position and rights of a Consul; acknowledges his authority to punish the offence complained of, if it pleased him—but refused to do so, or to allow himself to be dictated to by Mr. Loustaunau, or any other person; and, finally, refuses to receive any further communications upon the subject.

Beyond this point we have no further information, and here the case stands. The question in dispute, therefore, resolves itself into a consideration of the position, and privileges enjoyed by Consuls. It is therefore a simple question of right, in which all nations are equally concerned; for we cannot but see that that which is granted or denied as the right of one, must be conceded or refused as the right of all.

The institution of the office of Consul is of the most remote antiquity, originating in the

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"But when, after times, these agents instead of representing the commerce of such or such a place, became the representatives of the commerce of the nation; from the time that no longer the commercial corporations, but the Governments named them, and that they were empowered to protect, near the authorities of the country, not only the interests of individuals willing to make use of their good offices, but also the interests of the State itself, to a more or less considerable extent, according to the degree of confidence which was granted to them by the Government, the Consuls have been considered from that moment, as public agents, near the foreign Governments, or diplomatic agents, though of an inferior rank to those who, with the object likewise of watching over the public interests, are accredited to the superior authorities of the Government of the country, where they are called upon to exercise their functions. But, as the Charges d'Affaires are not less diplomatic agents than the Envoy, because they are only accredited to the Minister in charge of the Foreign Department, whilst the latter are accredited to the Sovereign; the Consuls cannot be excluded from the diplomatic corps, that is to say, from the number of the public agents near the Foreign Governments, because they are only accredited to agents of the Government; of an inferior rank to that of the Minister."

"It is a great error to refuse Consuls, the diplomatic character, because their title is not given them under the form of credential letters, but under that of letters patent or letters of provision, and requiring the exequatur or confirmation of the Sovereign of the country where they are to exercise their functions. This variety, as to the form of the diploma's, can only establish a specific difference between the Consuls and the other diplomatic agents, but can never exclude them from their corps; as the difference of the diploma's that accredit the Ambassadors, the Envoys and Charges d'Affaires, only divides them into three different orders of the diplomatic corps, without it ever being induced that these last deposit, as well as the first belong to the same corps."

The form of the letters patent and the apposition of the exequatur have nothing to do with the diplomatic character of the Consul for the same; as these formalities in no way contribute to confer it to him, they do not hinder him from being invested with it; their object is to provide him with a title to make it evident to the executive and judicial authorities of the country, his capacity, as duly empowered to represent legitimately before them, in matters of their competence, that may demand the presence of these representatives of parties who, through their Government, are considered to have authorized them to represent their interests."

On the above extract, it would be superfluous for us to offer any remark; the case is so logically and forcibly put, that we leave it to our readers to draw their own conclusions;

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For our part, we dissent in toto from the doctrine, and in promising to lay before our readers an investigation of the case, as founded on the established usage of international law; we think we are placing the question before the public in its true light, and doing as much and no more than the press is called upon to do, in regard to the matter. We have in our present issue laid before our readers "the useless discussion of the views of the various authors on international law," which the *Star* so disinterestedly leaves to us.

The "*Echo*," of last Saturday, has a paragraph which illustrates the old saying, "Set a thief to watch a thief." It informs us that two of the soldiers employed to guard the chain-gang, when at work in the streets, themselves committed, whilst on duty, a most daring theft; one of them, at the instance of the other, having entered a *tienda* and abstracted a purse, the contents of which the two worthies in a neighbouring drinking house made themselves quite happy.

If this story is true, we hope the authorities will take care and have the scoundrels punished.

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The *Star* of the 13th informs us of a theft committed on the last British specie train, near Cruces, when on its way to Chagres. The robbers succeeded in abstracting a box containing five hundred Peruvian dollars, with which they escaped to the woods, but on being closely followed by the guards, were obliged to decamp, leaving all the money behind them.

A new company has been formed in England for working a mine in Virginia, under the name of the "Garnett & Mosely Gold Mining Company of America." The capital is £100,000, in 100,000 shares, of £1 each. These mines are situated in the county of Buckingham, Va., within twenty-five miles of the James River Canal. It is stated that they have been opened, shafts sunk, and levels driven, and a vein of 3,000 feet in length, and 15 or 16 feet in width has been discovered at about 80 feet below the surface.

## The Peruvian Consul and the Panama Government.

(Carefully Translated for the Panama Herald.)

From the *Panameno* of the 11th November.

"In a former number we have alluded to this affair, relating the circumstances, and placing it in its true light, which being in itself insignificant, an important construction has been attempted to be put upon it. Mr. Loustaunau has thought fit to have the principal documents, relating to the affair between himself and Colunje, printed, but as we believe that they have only been circulated amongst the Consuls resident in this city, we think fit to publish Mr. Loustaunau's letter to the Governor, together with the 'marginal note' with which it was returned.

Both these documents corroborate what we have already said with respect to the affair."

REPUBLIC OF PERU. CONSULATE OF PERU IN PANAMA.  
PANAMA, 19th October, 1852.

To General, the Governor of the Province:

Sir: The undersigned, Consul of the Republic of Peru, has received the note that the General Governor of the Province has sent him on the 15th inst., in reply to the former's despatch of the 14th of the same.

In order to answer to the former, it is necessary to explain to the Governor, that as soon as the latter document reached him, the undersigned considered it his duty to call upon his honorable colleagues, who form the Consular corps, accredited to the Government of New Granada, and resident in this city, to make known its contents to them, as also the reasons that had induced him to take that step, and he has the satisfaction to inform the Governor, that his conduct, as well as the tenor of his letter, in question, received the approbation of that respectable body. In the conferences which he had with each of his Honorable Colleagues, he compromised himself to lay before them the answer he might receive from the Governor, and to take no step nor adopt any measure, without consulting them. As soon, therefore, as he received it, he lost no time in communicating its contents to them, together with those of the documents which he has the honor to hand to the Governor—marked 1, 2 and 3.

On being informed of the contents both of the former and latter documents, the Consul of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, senior member of the Consular corps, agreed to call a meeting of all the other Consuls, as is shown by the accompanying document No. 4.

The Consular corps having met together on Monday, the 18th instant, at the residence and under the presidency of the Senior, the undersigned proceeded to read the challenge of the Police Officer, Don Manuel Colunje, as also the despatch which he, the undersigned, had directed to the Governor on the 14th instant, and his answer of the 15th, together with the documents, legalised copies of which accompany this despatch, marked 1, 2 and 3. Having finished the reading, the undersigned considered it his duty to analyze the despatch of the Governor, and did not hesitate in qualifying it, as uncourteous and evasive, to such a degree that there was no room for doubt that its tenor inclined to leave unpunished the offence of Sr. Colunje, shielding him with formulae and trammels of the law, dilatory, not to say interminable, whilst the power with which the Governor is vested, according to the existing law of New Granada, authorized him to give the immediate satisfaction solicited by the undersigned, offended in his dignity and public capacity, the only one which can be attributed to him, inseparable from his person, and of which he is not allowed to divest himself.

The undersigned, for the sake of preserving the order, will manifest to the Governor, the basis on which he rested the qualification, which, with regret, he saw himself bound to make use of with regard to the note in question. He said it was uncourteous, and the mere reading of its exordium, is sufficient to carry conviction of the fact.

In it, the Governor states "that he had the honor to receive the estimable despatch of the undersigned, in which he relates to him an occurrence that had taken place between him (the undersigned), and Sr. Manuel Colunje, Police Officer in this city." The Consul of Peru has not given to the Governor an account of any affair between "himself" and Sr. Colunje, police officer of this city. Between the Consul of Peru and Colunje, Police Officer of the city, there can be no affair of any kind whatever, because the Consul of Peru cannot descend to the sphere of the police officer of Panama. This man, insolent and audacious, both in disposition and habits, is the one who has dared, without cause or motive, to insult, and has conceived the extravagant idea of, putting himself on a par with the representative of a nation. Consequently, the Consul of the Republic of Peru has not given the Governor of the Province an account of any affair between "himself" and the Police Officer. Of what he has given an account, has been of the gratuitous insult that has been put upon him, and that, with the sole object of soliciting condign punishment for the offender. That comparison of persons could have been avoided, inasmuch as the Consul of Peru repudiates it, with all his dignity and with an innate conviction of his worth as a private individual and as a public functionary.

It is also therein stated, "that the Governor has given Sr. Colunje to understand that he is to be careful not to enter into discussion, with the undersigned, nor with any person." The Consul of the Republic of Peru tenders to the Governor his sincerest thanks for the solicitude which prompted him in his behalf, as also in that of all the individuals who reside within the limits of the Governor's jurisdiction, when he, the Governor, was pleased to make Sr. Colunje understand that he ought to beware of holding discussions with him (the Consul), or with "any other person." However, the paper marked No. 3, will make manifest to the Governor the value Mr. Colunje has set upon the insinuation, at least as far as the undersigned was concerned. At three o'clock in the afternoon of the 14th the Governor received the despatch, the reply to which, gives rise to the present; two hours after, Colunje was seen in the public street in the Governor's company; now, the admonition was in force, or ought to have been, at that moment; but notwithstanding the individual thus admonished, sought out the undersigned to provoke and insult him anew, [for with what other motive could he do so?] four times throughout the day of the 15th, and once on the 16th; on the afternoon of which latter day, he Colunje, embarked for Taboga in company with the Governor, and remained in the company of the latter until the morning of the 18th, on which they returned together in the steamer.

Furthermore, was there any necessity for the Governor to give Colunje to understand that he ought to have no discussions with the undersigned nor with any person whatever? Is not this a forcible obligation in the social scale, and above all things indispensable in a Police officer? Could that individual (Colunje) perchance be ignorant, at least, if he be not totally unworthy of watching over the public order, that is incumbent on him as the first of his duties towards the community at large and towards his superiors to be an unvarying pattern of morality, of moderation, and even of self-denial, if necessary?—and if, with the undersigned, he was wanting in those requisites, he set at naught the laws of which he is a guardian in a subaltern degree, he insulted him and violated his public character, and finally challenged him, was it in order, or worthy of the dignity of the Chief of the Province, to assimilate him with any other person, and more, to say so officially, in reply to a decorous remonstrance which only con-

cerned, accused by the representative of a nation, of having outraged him in his rights, privileges, and immunities?

If Colunje, in having insulted and challenged the undersigned, has committed any offence, of those which are amenable to the ordinary tribunals of the Republic, he has nothing to do with that. He, the undersigned, cannot, nor ought to be plaintiff, neither will he, nor ought he, await to the result of a suit which may be carried on "de oficio" to obtain redress. The undersigned is a public agent, accredited to the executive and solely of the executive, ought he to ask the punishment of a delinquent who has violated laws of nations, insulting the character with which he, the undersigned, is invested; he has nothing to do with the tribunals, formulae, or trammels in such a case; and such has been the unanimous opinion of his honorable colleagues, in the meeting which took place on the 18th instant, in sight of the documents before mentioned, and after a lengthened and conscientious examination of the affair.

Having proved beyond all doubt, that amongst other powers, the Governor possesses that of punishing without any judicial proceedings whatever, the Police Officer for the offence of which he stands accused, the undersigned proceeds in accordance with; and with the unanimous opinion of his honorable colleagues, the gentlemen who form the Consular corps, accredited to the Government of New Granada, and resident in this city, to demand peremptorily and decisively, that Sr. Manuel Colunje, Police Officer of this city, be removed forthwith from his employ, by the General Governor of the Province, who is now addressed with that object.

Before closing this communication, the undersigned begs to be permitted to put the General Governor, in mind, that on the 23th of the present month, the steamer leaves for Callao, and that as he mentioned in his former despatch, he wishes to be able at the same time to inform his Government of what has occurred, and also of announcing to it that he has received full satisfaction.

With feelings of the most perfect consideration, he has the honor to subscribe himself the Governor's.

(Signed.) HUMBLY AND OBEDIENT SERVANT, JUAN LOUSTAUNAU.

Marginal decree with which the preceding note was returned by the Governor.

GOVERNACION DE LA PROVINCIA,  
PANAMA, 22d Oct., 1852.

Considering that the Consul of Peru in this port has allowed himself to qualify as discourteous and evasive a letter of the undersigned Governor, making such qualifications before the Consuls of the other nations, and upbraiding in this the Governor himself without having, or being able to assign, good reasons to assist him; in such a strange and unheard of proceeding, the undersigned neither can, nor ought not to, permit a despatch so eminently uncivil and wanting in respect as the present, to remain in the Government archives, in which Mr. Loustaunau, thinking, perhaps, that his Consular character places him in a higher position than that which he really possesses, addresses a note to the first magistrate of a Province of the Republic of New Granada, in terms little or nothing in conformity with the precepts of the most ordinary politeness. It is necessary before all things to take into consideration, that as to prerogatives, those of the Consuls are not so great as Mr. Loustaunau appears to consider they are; since they are not diplomatic agents, nor does the law of nations place them even in the class of public ministers of the third order. They are agents who are sent to friendly nations to protect the rights and commercial interests of their commercial countrymen, in the difficulties they may encounter. The mission of a Consul is not to the supreme authority of the country, but to his own countrymen, resident in that country, for the purpose above mentioned; and although in the exercise of their functions they are independent of the state in whose territory they reside, with respect to their property and persons as well in criminal as in civil cases they are amenable to the local jurisdiction. These generally admitted principles are the same that the government of the Republic follows, and has recommended to this office in a despatch from the Secretary for Foreign Affairs, dated 18th August, 1848, under No. 27, Sec. 1, in which, amongst other things, it states, in a clear and definite manner, that the faculties of Consuls are limited to the fulfillment of treaties purely commercial, and to afford in commercial matters the due protection to the subjects or citizens of the government from which they are named; and in the same note, the Governor is enjoined not to enter into replies and explanations with Consuls, which can only be the case with a diplomatic agent, according to the forms of public right. Thus, therefore, these premises being established, the legitimate consequence is, that Mr. Loustaunau, Consul of Peru, in this port, does not represent here the said nation, his character as Consul does not elevate him to such a high position.

Entering now into the particular act which has given rise to this uncourteous and upbraiding note, it may be noticed that Mr. Loustaunau considers himself offended by being put upon a par with the Police Officer, Sr. Manuel Colunje, and proves the comparison in the phrases used by the undersigned, in answering him, (Mr. Loustaunau) saying that he had received the despatch in which he gave an account of an affair between himself and Sr. Colunje; truly no comparison can be discovered; and even if there should be any, can it be discovered where the offence lies. If the fact of Sr. Colunje's having directed a challenge to Mr. Loustaunau, is not an affair between the two, it is not clear how to call it, nor can it be understood that, with that phrase there is anything derogatory to the Consular character of the latter; and if the said occurrence is a crime in the commission of it, Mr. Loustaunau is no wise figures, nor ought to be considered as Consul; the examination and punishment of the delinquent belong to the judicial authority, according to the laws of the Republic, to which Mr. Loustaunau is amenable, without its being understood that he has to be a party in the proceedings. Mr. Loustaunau has submitted the note of the Government to the examination and censure of the Consular corps, [in what capacity this body has acted, the undersigned has not been able to understand] and affirms that this body has agreed as to the exactitude of the qualifications made by him, [Mr. L.] and in the impropriety and uncourteousness of all the contents of that despatch. The Government, under the hypothesis, that such a fact be true, repudiates in all and every one of the Consuls resident in this city, that they possess the faculty of taking upon themselves there vision or examination of its administrative acts, and to qualify them in terms like those which are now spoken of.

The Peruvian Consul is also persuaded that the despatch of the Government is evasive and that its tendency is to leave the crime unpunished, establishing that the Governor is sufficiently empowered to order immediate redress by dismissing from his post the Police Officer alluded to. Never could it be thought a Consul to whom are dispensed, as they ought to be, the guarantees which the laws provides, would advance so far as to say to the Governor, that he inclined to leave a crime unpunished, because this is gratuitously offensive to the authority. In reality, the Governor is empowered to remove from their posts the employes of the executive under his control, but in the exercise of that power, he is not obliged to proceed in consonance with expressed desires, but as it may appear most fit to him. In the present case, it has been considered that by submitting to the consideration of a Judge, the proceeding of the Police Officer, that the latter might be punished if sufficient cause was shown for it, was all that was necessary and ought to be done; and not because the Peruvian Consul chooses to ask for his (Colunje's) removal, is the Governor obliged to please the former by decreeing it. The undersigned having occupied himself with the principal matter of the present despatch, in conformity with what was

all parties as evincing the greatest tact.

The next Mail will most probably bring us the consummation of this interesting event.

AUSTRIA, RUSSIA, AND PRUSSIA.—It is said, intend to confine themselves to keeping a defensive attitude as long as Napoleon III. makes the proper distinction between meum and teum.

AUSTRIA.—On the 30th Sep. a grand mourning ceremony took place at Vienna in honor of the Duke of Wellington.

There is no news of importance from Spain, Portugal or Italy.

TURKEY.—The English fleet is expected at Smyrnia to support its claim along with other maritime powers to the passage of the Dardanelles which has been lately granted to a French war steamer—a dreadful conflagration took place at Smyrna on the 26 Sep.; 5 or 6000 stores were destroyed.

ENGLAND.—The Queen has returned to London from her visit to Scotland.

Lord Derby was unanimously elected Chancellor of the University of Oxford.

The meeting of parliament has not been fixed. Gold will for the future be weighed by the troy ounce and decimal parts, instead of pounds, ounces, dwts., &c., as formerly.

Six hundred and eighty four prisoners have escaped from Van Diemens land to the gold diggings in Australia.

The West India mail Steam packet company have declared a dividend of £2 per share for the half year free of income tax.

## \$3,000 REWARD,

FOR THE APPREHENSION OF  
THO. ALEX. MACLEAN PORTES,  
ABSCONDED.

THE above named THOMAS ALEXANDER MACLEAN PORTES was a partner in the House of WALTER LOGAN & CO., of London.

At the commencement of the present year he proceeded to Lima to receive two Vessels, from Europe via Cape Horn, loaded with Merchandise, of the value of \$200,000. PORTES consigned this cargo to the House of Dartnell, Muller & Co.; received an advance from them in cash of more than \$50,000; embarked from Callao for this City, in the Steamer of the 23d of April last, bringing, in person this specie; remained here for 18 days, during which time he collected sums amounting to \$30,000, including one of \$4,800, for pearls and diamonds.

On the 25th or 26th of May, he disappeared from Aspinwall, without, up to the present day, the route he has taken being discovered, it is indubitable, therefore, that he has absconded with \$80,000, belonging to the House of Walter Logan & Co., of which I am a partner.

According to the data which I have been to collect, PORTES obtained in Aspinwall, a passport from the alcalde, (Prudencio Herrara,) in the name of Paterson, Parson, or Porson, as well as the said alcalde can remember, with which he embarked either in the *Crescent City* or the *Empire City*, on the 25th or 26th of May last.

T. A. M. PORTES, is in person stout, and of average height; has a broad face; his eyes are dark; hair black, and curled; moustache, thick very dark; and he appears of African cast of cast of features. He speaks Spanish fluently; French, badly; and English is his native language; he, himself says, was educated in Scotland.

His deportment is that of a gentleman, and

## N. YORK & SAN FRANCISCO

STEAMSHIP LINE.

Consisting of the Steamers

## UNITED STATES,

1,500 Tons Burthen,

CHARLES C. BERRY, Commander;  
Plying between New York and Aspinwall; and connecting regularly with the  
New Double Engine Steamship

## WINFIELD SCOTT,

2,100 Tons Burthen,

GEORGE A. COLE, Commander;  
and the

## CORTES,

1,500 Tons Burthen,

THO. B. CROPPER Commander.

Both plying being Panama and San Francisco.

THE UNITED STATES is well known to be the swiftest steamer plying between New York and Aspinwall, having made the voyage from the former to the latter port in seven days and two hours.

The WINFIELD SCOTT and CORTES have both proved themselves to be second to no steamers on the Pacific, in point of speed, having both made the shortest trip on record, from New York to Panama.

The WINFIELD SCOTT has large ports between each State-room, both in the forward and after Saloons, and square windows in every State-room.

The CORTES has large square ports in each State-room, in the Main and After-Saloons, and is similarly ventilated in the Steerage, so that these vessels are thus rendered the most comfortable and superior ships in the California trade.

We call the attention of Passengers to another advertisement, which states the time of departure of the above steamers.

GARRISON & FRETZ, Agents,  
Panama.

DAVIS, BROOKS, & Co.,

No. 28, Beaver-st., New York.

JONES & JOHNSON,

No. 104 West st., corner of Liberty street, New-York.

WM. F. BABCOCK, & CO.,

San Francisco.

oct15

## FOR SAN FRANCISCO

To sail about the 18th instant.

THE new double engine Steamship

## CITY OF PITTSBURG,

ROBERT W. FOSTER, Commander,  
will be despatched for San Francisco on or about

THURSDAY, 18th INSTANT,

stopping at Acapulco, only, for

FRESH PROVISIONS and WATER;

As she takes on board, at this place, a sufficiency of Coal to carry her through, she will not be detained at the above port longer than necessary for the said purpose—say some three or four hours—and may therefore confidently be expected to make a speedy passage, apply to

nov12-1f GARRISON & FRETZ, Agents.

## UNION HOTEL

AT GORGONA.

TABER & PERKINS, Proprietors

THIS well known Hotel (formerly

him, and that, with the sole object of securing some punishment for the offender. That comparison of persons could have been avoided, inasmuch as the Consul of Peru repudiates it, with all his dignity and with an innate conviction of his worth as a private individual and as a public functionary.

It is also therein stated, "that the Governor has given Sr. Colunje to understand that he is to be careful not to enter into discussion with the undersigned, nor with any person." The Consul of the Republic of Peru tenders to the Governor his sincerest thanks for the solicitude which prompted him in his behalf as also in that of all the individuals who reside within the limits of the Governor's jurisdiction, when he, the Governor, was pleased to make Sr. Colunje understand that he ought to beware of holding discussions with him [the Consul] or with "any other person." However, the paper marked No. 3, will make manifest to the Governor the value Mr. Colunje has set upon the insinuation, at least as far as the undersigned was concerned. At three o'clock in the afternoon of the 14th the Governor received the dispatch, the reply to which, gives rise to the present: two hours after, Colunje was seen in the public street in the Governor's company; now, the admonition was in force, or ought to have been, at that moment; but notwithstanding the individual thus admonished, sought out the undersigned to provoke and insult him anew, [for with what other motive could he do so?] four times throughout the day of the 15th, and once on the 16th; on the afternoon of which latter day, he, Colunje, embarked for Taboga in company with the Governor, and remained in the company of the latter until the morning of the 18th, on which they returned together in the steamer.

Furthermore, was there any necessity for the Governor to give Colunje to understand that he ought to have no discussions with the undersigned nor with any person whatever? Is not this a forcible obligation in the social scale, and above all things indispensable in a Police officer? could that individual (Colunje) perchance be ignorant, at least, if he be not totally unworthy of watching over the public order, that is incumbent on him as the first of his duties towards the community at large and towards his superiors to be an unvarying pattern of morality, of moderation, and even of self denial, if necessary?—and if, with the undersigned he was wanting in those requisites, he set at naught the laws of which he is a guardian in a subaltern degree, he insulted him and violated his public character, and finally challenged him, was it in order, or worthy of the dignity of the Chief of the Province, to assimilate him with "any other person," and more, to say so officially, in reply to a decorous remonstrance which only concerned himself, founded on justice and the tendency of which was to preclude the chance of an interruption to the harmony which exists between two Republics?

Let the Governor peruse his despatch, and his good sense and acknowledged uprightness, will point out to him that his exordium could not but provoke, the perhaps severe but not less just remarks of the undersigned, which with profound regret, he transmits to paper after giving utterance to them before his honorable colleagues of the Consular corps, who could not do less than acquiesce in his exactitude as to the inopportunities and want of courtesy of that exordium.

The undersigned now proceeds to the second part of the note; to that which he has qualified as evasive, to that whose tenor inclined to leave unpunished the offence, shielding the delinquent with the trammels of the law, and formulae, dilatory, not to say interminable, whilst the laws of New Granada empower the Governor with the faculty of giving the immediate satisfaction demanded.

The Governor says:—"That the punishment which the undersigned wishes to be inflicted on Sr. Colunje, corresponding to the judicial authorities, according to the laws of New Granada, it being first decided whether the individual is delinquent; with the same date passes to the first judge of the circuit, a copy of the dispatch of the undersigned, and of the document attached to it, in order that he may decide according to his legal powers, and the issue of the investigation made by him."

The undersigned has not lived for the space of more than a year in New Granada, without having devoted some of his time to the study of the laws of the Republic. In this particular case, he has taken the opinion of eminent and impartial counsel, and has also had the honor to listen to the legal opinion of his honorable colleague, the Consul of the Republic of Chile, a citizen of New Granada, and both from his, and the undersigned's own, though scanty knowledge, as well as from that of the learned individuals already mentioned, he is certain that the General, Governor, as Chief of the Executive of the Province, is fully empowered to inflict upon Colunje the punishment solicited in atonement of the offence committed by him.

By the laws of New Granada, the Governor of a Province is authorized to remove from their office the employees of the Executive, when they give cause for dismissal. Without the judicial form, the Governor can depose "Jefe Politico," and the latter, by order or by his own will, can depose the Alcalde, and if this last, who is the immediate Chief of the Police officer, who is nothing else than the executor of his orders, or of those of his superiors, can be deposed or removed as above stated, and as recent examples could be cited in this city, and one, of not a very late date, with this very Colunje, why is an everlasting judicial proceeding necessary, to inflict dismissal as a punishment on the Police Officer,

which he gave an account of an affair between himself and Sr. Colunje; truly no comparison can be discovered; and even if there should be any, can it be discovered where the offence lies. If the fact of Sr. Colunje's having directed a challenge to Mr. Lous-tanau, is not an affair between the two, it is not clear how to call it, nor can it be understood that, with that phrase there is anything derogatory to the Consular character of the latter; and if the said occurrence is a crime in the commission of it, Mr. Lous-tanau is no wise figure, nor ought to be considered as Consul; the examination and punishment of the delinquent belong to the judicial authority, according to the laws of the Republic to which Mr. Lous-tanau is amenable, without its being understood that he has to be a party in the proceedings. Mr. Lous-tanau has submitted the note of the Government to the examination and censure of the Consular corps, [in what capacity this body has acted, the undersigned has not been able to understand] and affirms that this body has agreed as to the exactitude of the qualifications made by him, [Mr. L.] and in the impropriety and uncourteousness of all the contents of that dispatch. The Government, under the hypothesis, that such a fact be true, repudiates in all and every one of the Consuls resident in this city, that they possess the faculty of taking upon themselves their vision or examination of its administrative acts, and to qualify them in terms like those which are now spoken of.

The Peruvian Consul is also persuaded that the despatch of the Government is evasive and that its tendency is to leave the crime unpunished, establishing that the Governor is sufficiently empowered to order immediate redress, by dismissing from his post the Police Officer alluded to. Never could it be thought a Consul to whom are dispensed, as they ought to be, the guarantees which the laws provides, would advance so far as to say to the Governor, that he inclined to leave a crime unpunished, because this is gratuitously offensive to the authority. In reality, the Governor is empowered to remove from their posts the employees of the executive under his control, but in the exercise of that power, he is not obliged to proceed in consonance with expressed desires, but as it may appear most fit to him. In the present case, it has been considered that by submitting to the consideration of a Judge, the proceeding of the Police Officer, that the latter might be punished if sufficient cause was shown for it, was all that was necessary and ought to be done; and not because the Peruvian Consul chooses to ask for his [Colunje's] removal, is the Governor obliged to please the former by decreeing it. The undersigned having occupied himself with the principal matter of the present despatch, in conformity with what was stated in the commencement, and bearing in mind the recommendation of the Executive, has resolved to return it to the Peruvian Consul, Mr. J. Lous-tanau, declaring that with respect to the subject now before him, he will not condescend to receive others as he did when the first despatch came to his office, strictly adhering to the law.

Let an account be sent to the Government.  
[Signed.] ASPRILLA Secty.  
[Signed.] HERRERA.

#### Arrival of the European Mail.

The Royal West India Mail Steamer, which left England on the 17th of last month, arrived in Chagres last week; the mails were received here on Sunday evening. Amongst the passengers, we notice the arrival of C. Wilthew, Esq., H. B. M.'s newly appointed Consul at Acapulco, who is at present in this city, en route to the seat of his official duties.

We cannot do more than give a very hasty summary of the contents of our papers.

FRANCE.—The *Moniteur* gives the details of a conspiracy to assassinate L. Napoleon. The attempt which was to have been made at Marseilles, was discovered by the police; the infernal machine consisted in this case of 250 gaa, and 4 large blunderbuss barrels.

At Bordeaux, the Prince President proclaimed his desire to revive the Empire—he advocates peace. His speech is considered by

person this specie; remained here for 18 days, during which time he collected sums amounting to \$30,000, including one of \$4,800, for pearls and diamonds.

On the 25th or 26th of May, he disappeared from Aspinwall, without, up to the present day, the route he has taken being discovered, it is indubitable, therefore, that he has absconded with \$80,000, belonging to the House of *Walter Logan & Co.*, of which I am a partner.

According to the data which I have been to collect, PORTES obtained in Aspinwall, a passport from the alcalde, (Prudencio Herrara,) in the name of *Parson, Parson, or Porson*, as well as the said alcalde can remember, with which he embarked either in the *Crescent City* or the *Empire City*, on the 25th or 26th of May last.

T. A. M. PORTES, is in person stout, and of average height; has a broad face; his eyes are dark; hair black, and curled; moustache, thick very dark; and he appears of African cast of cast of features. He speaks Spanish fluently; French, badly; and English is his native language; he, himself says, was educated in Scotland.

His deportment is that of a gentleman, and he appears to have received a polite education, his manners are fascinating, and his address engaging.

He has, by all accounts, changed his name on other occasions, having been known in Chile, eighteen years ago, by the name of MACLEAN, and afterwards in Barbacoas, a Province of New Granada, by that of PORTES.

The firm of WALTER LOGAN & CO., lose by the absconding of said PORTES more than \$80,000; and the said House offers a reward of

#### Three Thousand Dollars

to any person who will give authentic information as to the movements or probable residence of the said T. A. M. PORTES, alias, *Maclean, alias, Pawson, Parson, or Porson*, as will lead to his apprehension, on addressing them through any of H. B. M.'s Consuls, in N. Granada, Peru, or Chile, Juan Feraud & Co., Panama; or the house of Green, Nicholson & Co., Lima; Walter Logan & Co., No. 46, Lime-st., London; Srs. Montoya, Saez & Co., and William Balleros, No. 3, Winchester Buildings, London, or in New-York, to Srs. Dominguez & Avezanna, 103, Pearl st.; rest, and L. C. De Mier.

J. NELSON BONITTO.

Panama, Nov. 12, 1852-tf.

To sail about the 18th instant.

THE new double engine Steam-ship



CITY OF PITTSBURG,

ROBERT W. FOSTER, Commander, will be despatched for San Francisco on or about

THURSDAY, 18th INSTANT,

stopping at Acapulco, only, for

FRESH PROVISIONS and WATER;

As she takes on board, at this place, a sufficiency of Coal to carry her through, she will not be detained at the above port longer than necessary for the said purpose—say some three or four hours—and may therefore confidently be expected to make a speedy passage, apply to

nov12-tf GARRISON & FRETZ, Agents.

UNION HOTEL  
AT GORGONA.

TABER & PERKINS, Proprietors

THIS well known Hotel, (formerly kept by Mrs. Reed,) has been recently purchased by the subscribers, who have spared no expense in fitting it out with every convenience and comfort, for the accommodation of the travelling public. It is most conveniently located, and the experience and superior facilities possessed by the proprietors, will be applied in rendering it worthy of the support and patronage of travellers on the Isthmus.

The constant and undivided attention of one of the proprietors will be devoted to its management, and no pains will be spared to meet the necessities and comforts of its patrons.

nov9-tf TABER & PERKINS.

Just Arrived, and for Sale,

CHARTS—for the Pacific-coast, California, and Australia, by  
Nov-16 SHABEN, BRO. & CO.

Dissolution of Co-partnership.

THE Partnership heretofore existing between the undersigned, in the *Tinning Business*, on Main st., Smith's Row, is this day dissolved by mutual consent.

S. B. SMITH,  
A. BROWN.

Panama, Nov. 9, 1852-tf.

## HOTELS.

### BOOTH'S HOTEL,

(Late WESTERN.)

Opposite the American Consul's Office,  
Main Street, Panama, N. G.

PRIVATE ROOMS for the accommodation  
of FAMILIES and LADIES.

The above Hotel contains some of the  
most pleasant and airy Rooms in the city, and  
is situated nearest to the place of embarkation  
for the Steamers jy13-tf.

ICE!—The WESTERN is the only  
HOTEL in Panama where ICE is kept.  
Panama Sept. 10.

### PAVILLION HOUSE,

On the Island of Taboga.

Thomas Mackinney & Co., Proprietors.

THE SUBSCRIBERS respectfully inform their friends  
and the public that, having purchased the elegant  
private residence of Capt. C. FORBES, at Taboga, they  
have remodelled and refurnished it throughout, and made such  
additions and alterations for the accommodation of the public, as  
warrant them in saying that it combines all the comforts and  
conveniences of a private residence with all the advantages that  
can be found at a public hotel. It is conducted upon strictly  
American principles, and after the style of the best private hotels  
or retired watering places in the United States.

Its location commands a fine marine view together with the  
beautiful Islands and Shipping in the Bay, and the house is al-  
ways well ventilated by a cool and refreshing sea breeze. In  
point of health it has no superior on the Pacific Coast. The  
market of Taboga is far better supplied with fresh provisions of  
all kinds than that of Panama, affording us an opportunity to  
keep a Larder furnished with every luxury of the country.  
Good servants, fresh and salt water baths, at all times, and a  
fine BAR attached to the house. Visitors will always receive  
every attention for their comfort and pleasure.

Special accommodation for LADIES and FAMILIES.—  
Persons going to San Francisco, who may wish to avail them-  
selves of the "PAVILLION HOUSE," are informed that passage  
to and from Taboga, will be provided at half price; also, that they  
will be enabled to embark on board the steamers on the day of  
sailing, without the usual risk attending conveyance in small  
boats.

Reference may be had to the U. S. Consul, or to all the  
Editors and principal Merchants in Panama.

THOMAS MACKINNEY & CO.  
ISLAND OF TABOGA, N. G., April 15, 1852. ap16-tf

### TABOGA HOTEL.

JONAS BARMAN—PROPRIETOR.

THE public are respectfully informed  
that this Hotel has been rebuilt and  
fitted up in the best possible manner, and is  
now open for the reception and accommoda-  
tion of visitors. The proprietor have spared no  
pains nor expense to render his hotel comfort-  
able and desirable as a home or a place of  
resort for those who may visit the Island. He  
employs none but the best cooks, and their Lar-  
der is always supplied with the best Fish,  
Meats, Poultry, Vegetables, &c., &c., that can  
be procured.

The BAR is stocked with the choicest Ales,  
Wines, Liquors, Cigars, &c., &c.  
dec8-tf JONAS BARMAN.

### BAKER'S VERANDAH HOTEL,

ON THE ISLAND OF TABOGA.

THIS HOTEL is pleasantly situated  
on the pleasant Island of Taboga. The  
proprietor has recently enlarged his house  
by the addition of a long wing which contains  
a number of pleasant rooms on the first and  
second floors. The location is unsurpassed  
for views or health—but no better ventilated  
or more airy, than might be expected, in any  
other place. It is not declared to be superior  
to any House on the Pacific Coast, but as  
good. To satisfy, look and try for yourselves.

P. S.—Families can be accommodated with  
good and comfortable apartments and with as  
good a table as the market can afford. Hav-  
ing been a caterer for nineteen years, the  
proprietor has had some experience in these  
matters; he therefore thinks that he cannot  
be surpassed in this country. A good Physi-  
cian is attached to the House, always ready  
and willing to attend to the sick.

Passengers will always find a boat at the  
steamer, free of charge, to proceed to the

## United States Mail Steamship Company



NOTICE TO THE



### TRAVELLING PUBLIC.

THE Steamers of the United Mail Steam-  
ship Company will, in future, land and  
receive all Passengers and Freight at

ASPINWALL, (Navy Bay.)

Passengers by taking the

### CARS OF THE



PANAMA RAILROAD COMPANY,  
can be landed at Aspinwall the same day of  
their leaving Gorgona. The Steamers will lie  
at the Company's Wharf, and all persons can  
embark without expense, and thus avoid that  
dangerous and inconvenient necessity of getting  
out to the Steamers at Chagres in small boats,  
as they formerly have been obliged to do, and  
in many instances Life and Property sacri-  
ficed by embarking there. All who have ever  
taken Ships at Chagres, know the dangers  
which they are subjected to, in going from  
shore to the Steamers.

Passage can always be obtained as low as  
by any other Line.

Steamers will be in readiness to leave im-  
mediately on the arrival of Passengers, Mails  
and Treasure.

For Freight or Passage, apply to the Agent  
of the Company at Aspinwall.

mar23-tf] W. H. FAIRCHILD, Agent.

### Notice to Returning Californians

PASSENGERS returning from  
California are notified that the  
New and Magnificent Independent  
Steamship

### SIERRA NEVADA,

J. T. WILSON, Commander,

has been placed on the route between Aspinwall  
Navy Bay and New York, and will make her  
regular trips in connection with other Steam-  
ers of this line, touching at Havana and New  
Orleans.

The Sierra Nevada is one of the largest  
class Steamships, built expressly for the pas-  
senger trade, and her accommodations other-  
wise cannot be surpassed.

Passengers are respectfully cautioned against  
purchasing tickets before arriving at Aspinwall,  
as they can always be had on the INDEPEN-  
DENT STEAMERS at Reduced Prices.

Panama, March 9, 1852-tf.

To be Published by January 1st, 1853.

### The Panama and American West Coast Almanac, for 1853.

For the use of Merchants, Ship-Masters, Trav-  
ellers, and Residents on the Pacific coast of

America; compiled and arranged

By JOHN POWER C. E.

### CONTENTS:

CALENDAR; remarkable days in the His-  
tory of America—[West Coast;] Holidays,  
Phases of the Moon; Eclipses; Tide Table, for  
every day of the year in Panama, Directory  
of professions and Trades of Foreign residents  
on the Isthmus of Panama; Consuls; Commerce,  
Treaties; Government Officers; Port Charges  
and Regulations; Taxes; Customs of Trade;  
Spanish Weights and Measures, with their  
values in American, English and French stan-  
dards; Postal Arrangements; Steam Communi-  
cations with Europe, United States, West In-  
dies California, South America and Australia;  
Railroad Co.; Water Stock Co.; Transporta-  
tion and Express Lines; American Hospital;  
Episcopal Church; Sailing directions; Anchor-  
age; Discharging Cargo; Ballasting; Watering;  
Gridiron at Taboga; Remarks on the Currency;

## GRAND LOTTERY.

Three Estates and 20,000 Dollars in Cash

THREE Coffee Estates, situated in the pa-  
rish of "San Antonio," three hours dis-  
tant from CARACAS, in three chances—and  
\$20,000, in several chances, as follows:

1 Estate, La Esperanza, valued at.....	\$25,000
1 Do San Roque, do .....	15,000
1 Do La Fortuna, do .....	1,000
1 Chance in cash.....	3,000
1 Do do .....	1,500
1 Do do .....	7,500
5 Share in Cash, at 400 dollars each.....	2,000
20 Do do 200 do do .....	4,000
30 Do do 100 do do .....	3,000
116 Do do 50 do do .....	5,800

Making 177 chances, amounting to.....\$50,000

Each Estate has a house and its correspond-  
ing uncultivated lands, susceptible of great im-  
provement. The house of the principal estate  
has 18 pillars, and it occupies a great space;  
enough to say, that the banking made for the  
house is one hundred varas long and fifty wide.  
The houses are new, and each estate has a  
great quantity of water, fruit trees, strawber-  
ry plants, lime kiln, granary, &c., and in all  
more than one hundred and fifty thousand Coffee  
Trees, in a good and productive state.

It would be rather too long to enumerate all  
the advantages of these properties; though it  
must be known that there are two machines to  
decorticate; a good harrow; oxen and horses;  
a beautiful yard; and the advantage and facility  
to purchase coffee from many neighbors.

The Lottery will take place the FIRST of  
JANUARY; or sooner, should the tickets be  
sold.

Great care will be taken to avoid errors.  
The Tickets will be sealed, and will not be  
sold but by respectable persons, which will be  
a guarantee to the purchasers.

Price of Tickets ONE DOLLAR each.

WM. A. ANDRAL, Proprietor,

No. 143 Comercio st., Caracas.

CHARLES LECOMTE,

General Agent for Panama

Sept7-tf and the Pacific Coast.

S. L. THELLER.

R. E. SHELDON.

### PANAMA EXCHANGE.

THIS HOUSE having been recently leased  
by the Subscribers, they would respect-  
fully inform the public, that they have and  
will continue to keep on hand a full and varied  
supply of the best Liquors and Cigars,  
which the market affords.

A BILLIARD ROOM pleasantly located  
and comfortably ventilated and lighted, is kept  
open at all hours, day and evening, and a per-  
son will always be found in attendance, with  
the necessary requisites for making the recrea-  
tion of Billiard playing attractive and gratify-  
ing. With these outfits, and a constant and  
sedulous attention to business, the undersig-  
ned are determined to merit a share of public  
patronage. S. L. THELLER & CO.

Ice! Ice!! Ice!!!—A fresh supply of  
Boston Ice just received, and will be kept con-  
stantly on hand, at the Panama Exchange.  
Panama, Aug. 24, 1852-tf

### COALS FOR SALE, AT REALEJO.

THE undersigned are now receiving,  
their Coal Depot, in Realejo, from  
2 to 3,000 Tons superior Welch Coals,  
for steam purposes, which they offer for sale  
upon the most reasonable terms.

Steamers of the largest draught of water  
can lay along their wharf in perfect safety,  
and load their coal with less trouble and in a  
shorter space of time, than at any other port  
on the coast. Sea Stock and Water can be

## New Fancy Dry Goods and Ready Made Clothing Store.

THE undersigned begs leave to inform the  
Ladies and Gentlemen residing in and  
passing through Panama, that he has recently  
opened a splendid

FANCY DRY GOODS and READY-  
MADE CLOTHING STORE,  
including

Wearing Apparel, Boots, Shoes, &c.,

and that he shall be in weekly receipts of fresh  
supplies of the latest fashions from the United  
States.

His prices will be found moderate, and his  
stock of goods surpassed by none in the city.  
Store on Main street, two doors from the  
Orleans House

ap2-tf

HENRY KESER.

### ORDERS FOR MERCHANDIZE.

THE Undersigned, COMMISSION MER-  
CHANTS, respectfully inform their  
friends and the public, that they have just  
completed their arrangements for executing  
orders on Commission, for all description of  
MERCHANDIZE in the New-York and Boston  
markets.

They have employed, as their Agents in  
both these cities, the most respectable houses,  
and parties entrusting orders to their care,  
may rely upon having them executed at the  
very lowest rates and on the very best terms,  
with the greatest despatch.

The following are the rates of Commission:  
For any amount under \$200—15 per cent.  
on Invoice cost.

For any amount over \$200—10 per cent. on  
Invoice cost.

No orders will be received under \$100.

For further particulars, apply to  
SHABEN, BRO. & CO.

Auctioneers and Commission Merchants  
aug31-tf Cathedral Square

### C. P. GIFFORD,

House Carpenter and Joiner,

In the Dona Juan Perez Street, Panama,  
HAVING heretofore been mostly confined  
to the fulfilment of a large contract with  
the Messrs. Hurtado, which is now completed,  
would inform the public that he is prepared to  
receive contracts for House Building and all  
other kind of Carpenter's Work, on the most  
reasonable terms—and all who favor him with  
their orders will find their work executed in  
good style and with despatch. He will per-  
sonally superintend all work with which he is  
favored. He solicits a share of the public  
patronage.

He has on hand, and will continue to keep, for  
sale, a general supply of building LUMBER.  
Panama, Aug. 24-ly.

### ST. CHARLES BAR ROOM.

THIS Establishment has been fitted up in a  
style appropriate to the climate, and admi-  
rably adapted for the purposes for which it  
was intended. It has been supplied with the  
best of Liquors which the market affords.  
The proprietors may always be found on hand,  
and every endeavor will be made to increase  
the handsome share of patronage which the  
house has already secured.

At a Side-Bar, convenient and pleasantly  
arranged, are always to be found a good sup-  
ply of Oysters, cold Meats, &c., &c. Also,  
Cigars, of the best quality.  
oct129-tf WM. WADE & CO.

### NEW BAKERY.

THE Subscribers respectfully inform the  
public, that they have recently erected,  
at considerable expense, a few doors from the  
FRANKLIN HOUSE, on Main street, an exten-  
sive BAKERY, and being supplied with the  
sweetest flour in the market, and having em-

be procured.

The BAR is stocked with the choicest Ales, Wines, Liquors, Cigars, &c., &c.  
dec8-tf JONAS BARMAN.

### BAKER'S VERANDAH HOTEL, ON THE ISLAND OF TABOGA.

THIS HOTEL is pleasantly situated on the pleasant Island of Taboga. The proprietor has recently enlarged his house by the addition of a long wing which contains a number of pleasant rooms on the first and second floors. The location is unsurpassed for views or health—but no better ventilated or more airy, than might be expected in any other place. It is not declared to be superior to any House on the Pacific Coast, but as good. To satisfy, look and try for yourselves.

P. S.—Families can be accommodated with good and comfortable apartments and with as good a table as the market can afford. Having been a caterer for nineteen years, the proprietor has had some experience in these matters; he therefore thinks that he cannot be surpassed in this country. A good Physician is attached to the House, always ready and willing to attend to the sick.

Passengers will always find a boat at the steamer, free of charge, to proceed to the above Hotel.

sept10

JOHN E. BAKER.

### SMITH'S FRANKLIN HOUSE.

THIS HOUSE is situated in the most healthy part of the city of Panama, on the largest public square (known as the Plaza) and is by far the most airy and pleasant public house in the city, the breeze passing through it from every quarter. The private rooms have been carpeted and arranged with new furniture; and the whole house, externally and internally, newly painted, &c.; it now possesses all the requisites of a comfortable Hotel, and is unsurpassed by any on the Isthmus. The table is supplied with the best the market affords.

oct29-tf

S. B. SMITH, Proprietor.

### ORLEANS HOUSE.

THE above establishment having been newly and splendidly furnished, the proprietors are prepared to offer the best

Cognac Brandy, Scheidam Gin, Bourbon Whiskey, French Wines, fine Apple Lemonade, and other seasonable drinks;

also, HAVANA CIGARS, &c., &c.

all of which will be served by polite and attentive Barkeepers to the public.

apl4-tf

JONES & CO.

Panama, March 9, 1852-tf.

To be Published by January 1st, 1853.

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PRICE:—Subscribers, \$1, non-subscribers \$1 50.

Advertisements inserted on reasonable terms.

The above offers an excellent opportunity to Public Companies, Transportation Agents, Expresses, Hotel-keepers and others, of publishing their business cards, as the Panama Almanac will be circulated in the United States, England, California and South America.

No advertisements can be received or names inserted after the 28th of October inst.

AD-DRESS—Mr POWER, Taboga oct12m

ed supply of the best Liquors and Cigars, which the market affords.

A BILLIARD ROOM pleasantly located and comfortably ventilated and lighted, is kept open at all hours, day and evening, and a person will always be found in attendance, with the necessary requisites for making the recreation of Billiard playing attractive and gratifying. With these outfits, and a constant and sedulous attention to business, the undersigned are determined to merit a share of public patronage.

S. L. THELLER & CO.

Ice! Ice!! Ice!!!—A fresh supply of Boston Ice just received, and will be kept constantly on hand, at the Panama Exchange.

Panama, Aug. 24, 1852.-tf

### COALS FOR SALE, AT REALEJO.

THE undersigned are now receiving, their Coal Depot, in Realejo, from 2 to 3,000 Tons superior Welch Coals, for steam purposes, which they offer for sale upon the most reasonable terms.

Steamers of the largest draught of water can lay along their wharf in perfect safety, and load their coal with less trouble and in a shorter space of time, than at any other port on the coast. Sea Stock and Water can be always procured in abundance, at the lowest prices and at the shortest notice.

Apply to FOSTER & MANNING.

### LOUISIANA RESTAURANT

UNDER THE

LOUISIANA HOTEL.

MR. CHARLES BOGEN having purchased an interest in the above establishment, the RESTAURANT, will hereafter be conducted by the undersigned.

This house undoubtedly offers better accommodations than any other in the city; has a large number of newly fitted up FAMILY ROOMS, and commands the most airy position, together with a fine view of the Bay, and the advantage of the sea-breeze.

The Restaurant will always be furnished in the most superb style, and parties desiring it, can be supplied with private dinners.

ju8-tf CHAS. BOGEN & G. LEW.

### NEW GOODS.

THE undersigned have just received a large supply of INDIAN RUBBER GOODS, consisting of Cloaks, Bags, &c. Also, Cassimere pantaloons; fine Shirts; Boots; Broad-cloth Coats of all kinds, &c., &c.

iy22

HABER & LEVY.

sonally superintend all work with which he is favored. He solicits a share of the public patronage.

He has on hand, and will continue to keep, for sale, a general supply of building LUMBER. Panama, Aug. 24-ly.

### ST. CHARLES BAR ROOM.

THIS Establishment has been fitted up in a style appropriate to the climate, and admirably adapted for the purposes for which it was intended. It has been supplied with the best of Liquors which the market affords. The proprietors may always be found on hand, and every endeavor will be made to increase the handsome share of patronage which the house has already secured.

At a Side-Bar, convenient and pleasantly arranged, are always to be found a good supply of Oysters, cold Meats, &c., &c. Also, Cigars, of the best quality.

oct29-tf

WM. WADE & CO.

### NEW BAKERY.

THE Subscribers respectfully inform the public, that they have recently erected, at considerable expense, a few doors from the FRANKLIN HOUSE, on Main street, an extensive BAKERY, and being supplied with the sweetest flour in the market, and having employed most competent workmen, are prepared to supply Families, Hotels, Restaurants, and the Shipping with all descriptions of large and small LOAF BREAD, CAKES, PIES, CRACKERS, PILOT and NAVY BREAD.

Orders and custom respectfully solicited at their establishment, all of which will be attended to with promptness and despatch.

feb8-tf

SMITH & ROBERTSON.

### CLINTON HOTEL,

BEEKMAN STREET, NEW YORK.

A. ADRIAN B. MILLER, Proprietor.

February 16, 1852. tf

### JOB AND CARD PRINTING.

THE SUBSCRIBERS

Have a Large and Complete Assortment of NEW AND ELEGANT

### JOB TYPE,

AND ARE FULLY PREPARED TO EXECUTE ALL KINDS OF

### PLAIN AND FANCY PRINTING,

with neatness and dispatch, such as

Show Bills, Bills of Lading, Hand Bills, Bills of Exchange, Steamers Bills, Drafts, Ship Bills, Blanks & Cards, OF EVERY DESCRIPTION, &c., &c., &c.

nov2

POWER & MIDDLETON.

Recd 20. Decr.

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Panama 6th Decr. 1852.

Hon: Edward Everett  
Secretary of State  
Washington  
Sir,

Consular  
Reform.

I take the liberty to  
send you herewith a copy of the Panama Herald  
dated 16th of November 1852, containing a  
review of a controversy between the Governor  
of Panama and the Peruvian Consul relative to  
an insult of a grave character offered by the  
Chief of the Police here, an intimate friend of the  
Governor.

Mr Soustauran is the writer of the editorial  
matter in the Herald, and it attracted my  
notice for the mention it makes of the work  
of M. Alexandre de Clercy quoted by Mr  
Soustauran.

Having been abroad in South America and  
the West Indies the greatest portion of the last  
twenty five years, and during part of the  
time as Commercial Agent at Aux Cayes, -  
and having had an opportunity of observing  
Consular movements in offices at a great  
number of places, I was glad to see a work  
that has been so recently written and published  
and that appears to me, from the extract I send

Yours

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you, to possess great merit.

The position assumed by Mr Lonsdaleman relates to the dignity and inviolability of his office and person.

Our Commercial Agents are of two classes. Those in Waite, which is a Country we do not choose to hold diplomatic relations with; and that at Saint Thomas and others, such as the countries they are sent to refuse to receive, or prefer to have without being accredited as Consuls.

Having been a Commercial Agent or Pro Consul in Waite, I can state that I felt my position then, to be more than that of a private individual, but less than that of a public Minister or even an accredited Consul. I felt and knew that my office involved peculiar personal rights, and that its duties were Magisterial relative to Masters and Mariners, and deceased persons, as well as contracts: Notarial as to Protests and Certificates, Surveys &c: Commercial, as to Registers of vessels, Sick and disabled Seamen and Statistics of trade; and diplomatic in so far as not leaving any superfluous intercourse became necessary at times, though it was very carefully avoided.

Consuls being commissioned by the advice of the Senate, are officers of greater dignity and rank. I cannot see how they can be other than diplomatic agents, and be Consuls.

I was a merchant and in trade at New Cayes, but constantly felt the disadvantage of it personally, amongst my Countrymen and others, and with the Governments of Haiti and the United States, in the just and proper exercise of my powers, duties, and influences.

The Consuls at distant English ports cannot be expected to report to you through our Minister at London; and the Consul at Havana, the Commercial Agent at St Thomas, and most of our Consuls and Commercial Agents abroad, have more or less direct intercourse with you.

This Itinerary is placed under peculiar circumstances because it is so distant from Bogota that an answer to any letter requires a month, and if there is any delay, six weeks or two months. Yet it is the place of transit of about fifteen hundred American Citizens, from New York &c, to San Francisco &c, — and of as many from San Francisco &c, to

New York &c, semi monthly: - of about two millions of dollars every fifteen days; - and of the United States Mail each way twice every month: - besides being the resort of more or less of the commercial marine of the United States.

Our Consul at this place is engaged in trade, subjected to its difficulties its accidents and incidents - loss of dignity, influence, and usefulness.

The troubles at Acapulco I am told arose out of business matters.

There is an article upon Diplomatic Reform in the Westminster Review April number 1857.

I presume that any new arrangement of the State Department, will include in its details, a Commercial Bureau, with a suitable library and maps, as a sort of Board of Trade.

The grade of diplomatic agent maintained by Great Britain, France, & Peru in South America is that of "Chargé d'Affaires" and Consul General united in one person with a salary of about \$8000. per year. This officer takes precedence of our Chargé d'Affaires in Bogota, Quito,

Lima

Luina, La Paz, &c. - When I left Luina the diplomatic agent of the King of the Sandwich Islands (an American Mr Eldridge) was exerting himself to get the precedence over Mr Clay.

International law is taught at the College of San Carlos in Lima from the work of the Chevalier de Pinheiro Ferrera entitled "Notes sur les Precis du droit des gens par G. F. Martens." - which work has received annotations for the use of said College by its former director, late Minister of Foreign Affairs at Lima, and now Peruvian Minister to the courts of Italy Doctor Don Bartolome Herrera.

Clercy's Work is called Guide of the Consulate; and is published under the auspices of the Foreign Department of France by Alexandre de Clercy Sub Directeur of the Consulate in the same Department A.D. 1857.

I remain very respectfully

Your obedient servant

William Miles.

Recd Jan 1<sup>st</sup>

7  
+ Mr Markie Coe

Panama 8 Dec 1852

Hon Edward Everett  
Secretary of State  
Washington  
Sir,

Mr J. Harrison Smith  
of this city stated to me on the 8<sup>th</sup> inst:  
That soon after the arrival at this port  
of the Bark Z.D. the Captain called  
upon him, when he presented the letter and  
Charter of Mr A Benson. The Captain said  
he did not know Mr Benson and refused  
to take the letter or charter.

The Bark Golden Era arrived at Panama  
from New York with a cargo of coal and  
merchandise August 4<sup>th</sup>; and sailed  
from Panama to Callas 30<sup>th</sup> August  
1852.

The Bark Z.D. arrived at Panama  
from New York with a cargo of coal and  
Provisions October 14<sup>th</sup> Last, and is now  
lying in this Port. The Captain told me  
"he should go to Callas" in a guarded way.

Mr John Harrison Smith (Smith &  
Lewis) declines showing me the four  
Charter parties sent by Mr A.G. Benson,  
and Mr Benson's letters, stating that it  
would be a breach of confidence.

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I am told that Mr Benson's vessels at San Francisco are chartered at various rates per ton, from \$12.- to \$15.- or thereabouts. These vessels will I presume be reported at Lima in due time.

If there is any distinction to be made at Lima as to Ports of the United States in the Pacific California and Atlantic, please notify Mr. Elay as soon as possible.

It would be useful perhaps to know the ports of clearance and date of departure and whether bound in the case of the vessels on Lowell's list sent to the Department.

It could be procured by Mr. Kiley and sent to Lima at once by your order.

The Z.D. it is said will be here a month longer.

Steamer  
Quicksilver

Neutral  
the M

Recd Jan 1<sup>st</sup>

My Marked 611

Panama 9<sup>th</sup> Decr. 1852

Regd

Hon Edward Everett  
Secretary of State  
Washington  
Sir,

Steamer  
Quickstep.

I left a note at the  
Department of State addressed by Capt.  
Pedersen master of the American Steamer  
Quickstep to Mr Webster dated Callao  
27<sup>th</sup> October last, relative to some  
trouble he had at this Port with the  
Governor of Panama.

I have now to inform you that I have  
learned here from the Prussian Consul  
that Capt. Pedersen has sold the  
Quickstep to the Government of Peru  
for the sum of \$ 35,000.00. as she  
now lies at the Port of Callao.

Neutrality  
of the Isthmus

I was told when I was here before,  
and now hear it again said, that you  
have been or are to be questioned as  
to the meaning of the Guarantee of  
neutrality clause, relative to this  
Isthmus contained in our treaty with  
New Granada.

The  
police  
and the  
lower  
orders  
of  
people.

The police of the Isthmus is bad and both life and property appear insecure in many respects. The course of events is placing around us outside of our borders the worst description of persons. The lower orders of the people of this Isthmus consist of of natives of Haiti and Jamaica of all colors, who mix with the same class of persons here and constitute together a worthless and dangerous mass.

Change  
of route  
to California

We cannot have full possession of this route, - a route to California by way of Memphis and the Gila would be a great blessing to our country morally and in every other way. In a moral view, the cost of such a route is not to be considered.

Steamer  
from  
Australia  
to Panama  
Europe.

A line of Steamers from Australia to Panama, is soon to touch here regularly having the gold remittances on board on the way to Europe.

At present the great use made of this city and the Isthmus for transit, makes Panama important for the collection of general information. Our Consul

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here ought to be a public agent only,  
and be occupied entirely with the public  
business; and correspondence with the  
Department of State, - and sending  
on the mails, and public despatches  
to all parts of the Pacific and Atlantic  
oceans.

I am to sail to day at noon per  
steamer *Spina*, and am due at  
Callao 8 A.M. on the 18th touching  
at the Robos Islands.

I expect to be here again on the 3d  
of January; and if so, with you  
if possible 15th January ensuing.

I have the honor to remain  
with the greatest respect.

(Yours most obedt servt.)  
William Miles.

End

2 Jan'y 14<sup>th</sup> B. Mr. Master's.

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Paita Decr. 13<sup>th</sup> 1852.

Hon. Edward Everett  
Secretary of State  
Washington  
Sir.

I arrived at this  
Port to day at noon.

I am told by the acting Consul McEadams  
that the Ship Michael Angelo arrived at this  
Port on the way to the Lobos Islands; from  
San Francisco, and after being furnished here  
with letters to Messrs Alsop & Co at Lima, sailed  
for the Port of Callao de Lima.

Mr Garland informs me that he is not  
apprised of the visit of any American vessel  
at the Lobos Islands during my absence;  
that every thing is quiet there; and the  
Peruvian forces situated exactly as I left  
them at Lobos d' Afuera.

After my arrival at Lima they will be  
withdrawn except a single guard vessel.

I shall arrive at Lobos d' Afuera  
tomorrow morning.

I am due at Lima the 18<sup>th</sup>

Remain with great respect,

Your most obed<sup>t</sup> serv<sup>t</sup>

William Miles.

The right of Rem being made clear and unquestion<sup>able</sup> by the tenor of the foregoing remarks it follows of course that the Government of the United States cannot alienate the property or the possessions of this Government, so as to confer either upon its own citizens or the citizens or subjects of other nations. That cannot be done either by public or private law. Nor can it be admitted that those citizens of either Government, or the citizens or subjects of any other Government, can have claims, of any nature whatsoever, upon their own Government or upon this, under any possible circumstances, where they have through ignorance or by design misled either Government.

But this Government, acting under the influence of those considerations that have always guided its course towards the United States, - will provide cargoes of Slaves, as far as may be compatible with a prudent regard to its own commercial interests, and under new contracts of Charter party, to be entered into here, by direction of this Government, for as many of the vessels, as have come with that purpose in view, in so far, as it may be just and judicious to do so, by this Government.

Mr (Tiedo accepted the preceding, memorandum and agreed to incorporate it into his note to Mr Clay dated 23<sup>d</sup> October, 1852 observing, at the time he took it, as he stated to me, "in his own mode of expressing its sense."

Quincy 22<sup>d</sup> October 1852.

MATTHEW C. PERRY

NOVEMBER 11, 1852

JAPAN

Date 1852 or  
early 1853

Japan - Perry's Expedition to, -

A  
Copy  
Notes.

Submitted by Com Perry & Standley to the Navy

In the first place, there can be, it may be presumed, no question as to the propriety and justice of demanding of the Japanese, redress for the past, and immunity for the future. -

"These people are to be looked upon either as civilized or barbarian:

"If the former, they have no right in the present condition of the World, to isolate themselves and treat as malefactors, all strangers, who may be driven to their shores for safety or by the perils of the sea:

"Such cruelty would not have been tolerated in the earliest ages, and if exercised by any European nation <sup>at the present time</sup> would rouse the indignation of the whole people of this country, and be a just cause of war.

"If on the contrary, they are considered as a barbarous race, then they should be treated accordingly, and be made to conform to the recognized law of nations, so far at least as may relate to their treatment of unoffending strangers

"But whether 'civilized' or otherwise Destiny seems to have determined that the United States are to take the lead in bringing.

bringing these extraordinary people into the family of nations. -

"The World has assigned this duty to us we have assumed the responsibility and undertaken the task, and can not now hold back, without drawing upon ourselves ridicule and reproach. -

¶ The United States Government has advanced too far to recede, and in the maintenance of its character for energetic action, it is bound to proceed, even if the course of events and circumstances of the times did not demand it. -

"The tide of empire is gradually flowing westward, and for the next half-century the most prominent events of the world are to transpire in the Western Hemisphere, and especially in the Pacific Ocean. -

"From the geographical position of the United States, and their rapidly growing commerce between the shores of the Pacific and China, and the Polynesian Islands, our people must naturally be drawn into the contest for empire, whether for good or for evil, and it will be wise to anticipate and prepare for events inevitable in themselves. -

All that can at first be  
expected

expected of this singular people is nothing more than what we should have a just right to demand of England or France, or any other civilized nation in time of peace "shelter, refitment, and supplies for our ships, whether public or private."

"Even in war no civilized nation would be justified in treating with harshness unarmed vessels, driven by necessity into their Ports, or what is more disastrous, wrecked upon their shores by the Providence of God."

Such acts of cruelty if perpetrated as I have before remarked by any other nation would be promptly resented by the United States, and why should it be tamely submitted to from a Power, whose territories lay directly in the route of a Commerce, which though now in its infancy is destined to rival that of our European trade.

Though the youngest in the family of maritime nations, yet the United States gave the first example of suppressing the tribute paid to the Mediterranean Corsairs they will I trust have the greater honor of bringing the Japanese to their senses.

The opening of the Ports of China by the British Government has proved to be

one.

one of the most humane and useful acts of that nation during the present Century, and has done more, and will continue to do more to Christianize the Chinese and meliorate their moral and social condition than ages of missionary labours would have accomplished.

In a short time we shall have an extensive Steam Navigation from our Pacific Ports to China. The route of this trade must necessarily pass near to and often in sight of the Southern extremity of Japan.

Supposing a Steamvessel in the vicinity of a Japanese Port should have her engines disabled and by consequence fall short of water and provisions, or what is almost as bad, fall short of fuel, what would be the alternative?

If under the present state of things she were to go into Port, her passengers and crew are seized, and carried into the most cruel captivity, and the vessel destroyed; and if she remains at sea, starvation and death is their inevitable fate.

It is plain therefore that stern necessity makes it imperative on the United States to secure peacefully if we can, forcibly if

if we must " Ports of refuge to the numerous vessels under the American Flag, whalers and others that are constantly passing the Coasts of this Strange Government; and if we had not just grounds of demanding explanation and of coercing if need <sup>be</sup> reparation for past acts, we are certainly called upon by the necessity of the times to push to success, cost what it may, the ultimate issue..

" Having thus briefly stated the grounds upon which I humbly conceive, we have a right to proceed I can only further remark with respect to the tenor of the instructions under which I am to act that in the ordinary course of things I must be governed by circumstances as they may transpire, and which cannot be foreseen, and hence the policy and necessity of giving me large discretionary powers.

I am fully aware of the great responsibility I shall assume in undertaking this duty, and the uncertainty of Success, but the duty has to be performed, and feeling no desire to avoid responsibility, and confident in my own good intentions and zeal in the Cause, I shall embark in the undertaking with a well grounded hope of a favorable result, provided adequate means be planned.

placed at my disposal.

"As to details of instructions it will be necessary that I should be furnished with a sufficient number of vessels of suitable description

That the Force thus detailed should be kept intact, so long as there may be need of its service. -

That the Ships should be regularly relieved and in time to allow of the punctual discharge of the men at the expiration of their periods of service, and that all vessels employed in the Squadron should have full complements of officers and men. -

That I may be authorized in case of need to retain the vessels beyond the periods of their service

"If their crews can be reshipped or recruits otherwise procured. -

That the two Store Ships the Supply and Southampton may be retained as long as wanted on the Station for the transportation of coal provisions, &c. -

That I may have general authority to hire interpreters, and if necessary additional vessels for the transportation of coal carrying despatches, and for such other employments as the exigencies of the service may

may demand. -

In a word, that such full authority be given to me as the Department may deem prudent and politic to invest in an Officer of my position, and under the peculiar circumstances in which I shall be acting in a remote part of the World, and almost entirely cut off from communication with the Government at home. -

I do not ask for this full power from motives of personal vanity, but because I believe that with such authority I may better accomplish the objects of the Mission. -

Respectfully Submitted.  
J. D. Lewis

Lerry's  
Japan Exp<sup>n</sup>



J  
W. G. McCLUNEY

FEBRUARY 1, 1852

BORNEO

Recd 17. Octr Mr Marcy *Special Agent(?)*

U. S. Steam Frigate "Powhatan"  
Off the mouth of Bruni River  
Island of Borneo July 12<sup>th</sup> 1853

Sir,

I have the honor to inform you that I arrived off this place on the 9<sup>th</sup> July in the Steamer "Powhatan", under my Command for the purpose of ratifying a Treaty made by Mr. Balestier on the 23<sup>rd</sup> June 1850, with the Sultan of Borneo, having procured the day previous from the English Island of Labuan, an Interpreter and Malay writer. I started on the 10<sup>th</sup> inst with a division of boats from the ship, for the City of Bruni, distant about fifteen miles from its mouth. On arriving there I found that Omar Ali Saifedien, the Sultan who made the Treaty with Mr. Balestier had died some time since; the present Sultan however was perfectly willing to ratify it immediately and appointed Pangeran Macota, his Prime Minister to sign the Certificates of Ratification for the Government of Borneo, accordingly at 12 o'clock of the 11<sup>th</sup> of July the Certificates of Ratification were signed by Pangeran Macota and myself in presence of the Sultan and his Court, one Copy of which was left with the Sultan of Borneo, the other I have with the Sultan's Ratification to be sent to the United States in the first public vessel bound home.

I have the honor to be

Very Respectfully

Yours obt. St.

Wm. J. McCluney  
Captain

Hon: Wm. L. Marcy  
Secretary of State. Washington  
D. C.

From Capt. McCluney - Boineo 12 July. 1853

Recd 11. July.

Special Agent(?)  
Mr. F. Roe

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U. S. Steam Frigate "Porohatan"  
Yoko-hama, Yedo Bay, April 3<sup>rd</sup> 1854

Sir,

I have the honor to forward to the State Department, by Commander Henry A. Adams, who returns to the United States in the Sloop of War Saratoga, as bearer of despatches from Commodore Perry, the Sultan of Borneo's Ratification of the Treaty made with Mr. Bates on the 23<sup>rd</sup> June 1850; also the Certificate of Ratification signed by Pangeran Macotah, Prime Minister, on the part of the Sultan of Borneo, and myself on the part of the United States. Duplicate Certificates were signed in the presence of the Sultan of Borneo and his Court on the 11<sup>th</sup> day of July 1853, in the City of Bruni; one of the Certificates was deposited with the Sultan, in obedience to orders from the State Department. Enclosed is a translation of the Sultan's Ratification

I have the honor to be

Very Respectfully  
Your Obt. Servt

Wm J Mc Cluney  
Captain

U. S. Navy

Hon:

Wm L. Marcy  
Secretary of State  
Washington  
D. C.

From Capt. J. McClurey - Paines - April 3, 1854

Recd 8. Feby. M. J. Sewall

Mr. J. McCluney  
6 Feby

U. S. Steam Frigate Powhatan  
Norfolk Virg Feb 6<sup>th</sup> 1853

Mon

Edward Everett  
Sir

I have the honour to acknowledge  
the receipt, from the State Department  
through Mr Maywood of a Box, and some  
documents relating to a treaty with  
His Highness the Sultan of Bonneo.

I have the honour to be  
Most Respectfully &  
Your Obedient  
Yrs J. McCluney  
Capt

Recd. S. Feb. 7. <sup>Navy. D. 7 Feb. 7.</sup> Mr. Everett. <sup>for file.</sup>  
Navy Department  
Feb. 7. 1833.

Sir,

I have the honor to acknowledge the receipt of your letter of the 3<sup>d</sup> inst; informing this department of instructions being given by the department of State to Capt. Wm. S. McLuney, of the U. S. Steamer Porohatan, to exchange the ratification of this Government for that of the Sultan of Borneo to the Treaty between the United States and the Sultan, and to inform you, that Capt. McLuney will be directed to comply with the instructions referred to—

I have the honor to be

With high respect

Yours Obedt. Servt.

John P. Kennedy

Wm Edward Everett  
Secretary of State

T. J. PAGE

FEBRUARY 1, 1863

PARAGUAY

Thos J Page

June 14/1853 to Dec

23 - 1856

Recd Sept. 2<sup>nd</sup>

Mr Marple

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U. S. Steamer, Water Witch  
Buenos Ayres, June 14th, 1853.

Sir:

I have the honor to inform the Department: that on my arrival at this place, I learned - from Mr. Pendleton, United States Charge de Affaires - that, in anticipation of the instructions, contained in the joint Commission, composed of Mr Schenck, Mr Pendleton and myself - which was entrusted to my care - he had negotiated and concluded on the 4th of March last - a Treaty of Commerce with the Republic of Paraguay.

Although my participation in the honor of such a negotiation has been precluded by the prompt action of Mr. Pendleton - for whose successful efforts, under the peculiar circumstance of being without Credentials from his Government, he merits the high commendation of the Department - I shall nevertheless, on my arrival at Assumption, present to his Excellency, the President of Paraguay, the letter of credence with which I have been honored by the Honorable the Secretary of State, under date of February 1st, 1853.

So long as the duties, with which I have been specifically entrusted by the President, shall detain me in the Exploration of the tributaries of the Rio de la Plata, it will give me much pleasure to execute any trust, to the best of my abilities, which the State Department may

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think proper to confide to my keeping.

To the Hon<sup>ble</sup>  
William L. Marcy  
Secretary of State  
Washington D.C.)

I have the Honor Sir to be  
Very Respectfully  
Yours Obedt. Servt  
Th: J. Page  
Lieut. Commanding  
US Steamer, Water Witch

Recd 20. Feb. Mr Mackin. 665-

U.S. Steamer, Uta Witko.

City of Asuncion, Paraguay

Honorable

November 1st, 1853.

The Secretary of State.

Sir,

Feeling it my duty  
to keep the Department advised of the acts,  
not only of this Government, but of those neigh-  
boring—where there is no representative of  
the United States—I have the honor to  
report to the Honorable the Secretary of  
State—that under an order of the Governor  
of Corrientes, one of the Provinces of the Argentine  
Confederation—issued during the month of April  
last, there was imposed, upon all Vessels, in  
transit, at the Port of Corrientes—a duty of  
5-per centum ad valorem on their Cargoes.  
This exaction, is truly at variance with the  
practices of one friendly nation towards  
another; and bearing especially on the trade  
of Paraguay. It very naturally produced an  
unfriendly feeling between this Country and  
the Province of Corrientes; and gave rise to a  
very angry discussion of the Subject, in the  
Public prints of each. The order continued  
in force, and was strictly carried out—com-  
pelling all Vessels to anchor at the Port of  
Corrientes, and pay the 5 per centum—until

the 21st of September last; when another order was issued, suspending the former, until the decision of His Excellency the Provisional Director of the Argentine Confederation should be made known, on the subject of its continuance or total repeal.

The Governor of Corrientes imposed this duty - as it would appear, under an erroneous interpretation of the 8th Article of the decree of the Provisional Director, issued on the 3<sup>d</sup> of October 1852. This Article reads thus -

"The Exterior and riverine Custom Houses, also, those of the interior, will permit the transit of foreign merchandise, destined for the Provinces of the Confederation; but the dispatching Custom House will collect and retain *Spa centum*, on the value of the effects, as a National right."

To such an extent had the angry discussion of the Subject gone, that the President prohibited, to Paraguay, the circulation of all news-papers, published in Corrientes. A disregard of this prohibition, by the Minister from Brazil, gave rise to a discussion of the Subject, which resulted in the Minister's receiving his *pass-port*. - He left the Country

in September last.

The announcement of the Suspension of the 5 Per centum, and of the reference of the Subject to the Provisional Director, by the Governor of Corrientes, was made in the following terms —

"The Governor and Captain General.  
Corrientes Sept.<sup>r</sup> 21<sup>st</sup> 1853.

To the Collector General of the Province.

The Government of the province, agreeably to the information of the Collector & Captain of the Port, has notified the Illustrious Provisional Director in reply to his note of the 29<sup>th</sup> of June, the form and terms, in which has been carried into practice the Decree of the 3<sup>d</sup> of last October, as well as, the motives which have determined the procedure of the Government in this respect; and until receiving a reply and new instructions on the Subject, you are ordered to Suspend the recovery of this national impost, which Article 8<sup>th</sup> establishes. In other respects, you are justifiable in continuing the existing practice, on every occasion that there is not proved the payment of those imposts in some exterior Custom House of the Argentine Confederation. You will act in conformity to these instructions."

(Signed) Juan Pujol.

His decision must necessarily produce a revocation of the order establishing the impost; in as much as a continuance, and an enforcement of it, against Vessels bearing the American Flag, would be in direct conflict with the stipulations of the Treaties recently made, between the United States and the Argentine Confederation.

As no Vessel of Commerce, under the American Flag, has passed the Port of Corrientes, since the establishment of this impost, I have no complaint to make of any American Vessel having been subjected to its exactions: neither do I apprehend that it will be continued, after the decision of the Provisional Director shall have been made known. I base my opinion, not only, on the estimation, in which I hold the character of His Excellency the Provisional Director, as too elevated, to permit the infraction of Treaty Stipulations Solemnly entered into; but on the disposition he has manifested, and I believe, sincerely entertains, for the establishment and preservation of the most friendly relations, with the United States.

I should have brought this matter to the notice of Mr. Pendleton, had I not

been informed that he has already sailed from Buenos Ayres, for the United States, and that his Successor has not, as yet, arrived.

The present state of this subject requires no official notice from our Government at this time: in as much as its operation is under Suspension, and I do not anticipate a renewal of it: I deem it, nevertheless, my duty to inform the Department, on the Subject, as it now stands.

I have the honor to be,  
Very Respectfully,  
Your Obedt. Servt.  
Th. J. Page,  
Lieut. Commdr.

Honorable  
William L. Marcy,  
Secretary of State,  
Washington, D.C.

Recd H. Jan. Mr Maikue

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United States Steamer Water Witch  
Corrientes Oct: 17<sup>th</sup> 1854

To the Hon<sup>ble</sup>  
W L Marcy  
Secretary of State  
Washington

I have the honor to inform  
the Hon<sup>ble</sup> the Secretary of State that I received,  
yesterday, at the hands of Mr. C R Buckalew,  
the Treaty between the United States and Paraguay,  
with instructions from the Department to effect  
an exchange of ratification, with such person, as  
may be duly authorized by the latter Government.

Yesterday I dispatched an officer of  
this vessel, bearer of a communication from  
myself to the Secretary of State of the Republic of  
Paraguay, informing him that I had received  
from the President of the United States a  
commission and power to act in the exchange  
of ratification, and desiring to be informed  
if I should proceed to Asuncion the Capital  
of Paraguay for that purpose.

My reason for thus addressing the  
Government of Paraguay is because of a recent  
decree issued prohibiting all foreign men of  
war entering or ascending the river Paraguay.  
This decree has been issued, in consequence of  
the part taken by the Water Witch under my  
command, in protecting and relieving the  
American Citizens, whose residence in that  
Country, had become subjected to restrictions  
almost amounting to persecution.

A detailed statement of the course pursued by the Water Witch has been dispatched to the Navy Department; to which I beg leave to refer the Hon. the Secretary of State. From this he will learn the cause, progress and final result of a difficulty of a most serious nature; which would not have arisen, in my humble judgment, but for the unwarrantable course of Mr. Hopkins the late Consul to Paraguay.

The Water Witch became necessarily involved in this difficulty, because of the duty devolving upon her, in the protection of the persons and property of American Citizens; the Government of Paraguay still pursuing a system of insult and injury, notwithstanding that she had opened it of the consequences, which would inevitably result, from such a course.

In the discharge of this duty the Water Witch has brought upon herself the odium of the Government of Paraguay; and it remains to be seen what course that Government will take, relative to the exchange of ratification of the Treaty.

There is no reason why an objection should be made, and none could possibly be anticipated save from such a Government as Paraguay, whose form and administration would seem to more appropriately the appellation of absolute Despotism rather than that of Republic.

I have the honor Sir to be  
Very respectfully your obed<sup>t</sup> Serv<sup>t</sup>

J. J. Page

Lieut. Command. U.S. Sloop of War Water Witch

Am 5. Feb.

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U. S. Steamer, "Water Witch."  
Corrientes, Nov. 5th, 1854.

Honorable  
Wm. L. Marcy,  
Secretary of State,  
Washington, D. C.

Sir,

In my communication of the 17th October, I advised the Department of the Steps I had taken towards effecting the Exchange of Ratification of the Treaty between the United States and Paraguay. I now have the honor to inform the Department that yesterday Lieutenant Murdaugh - the Officer dispatched to Asuncion with my letter to the Secretary of State informing him that I had been commissioned by the President of the United States to Exchange the Ratification of the Treaty, and desiring to know if I should proceed to Asuncion for that purpose - returned, bringing me the enclosed letter from the Secretary of State, together with my letter, returned to me.

Lieutenant Murdaugh stated to the Secretary of State, on presenting my letter, that it related to the Treaty. It was known to the Government of Paraguay that the Ratification had reached Buenos Ayres some days previously to the arrival of Mr Murdaugh.

The letters alluded to - in the note of Mr. Secretary, Jose' Galon, of the 29th and 30th of Sept. were addressed to me, returning my letters of the 28th and 29th - copies of which I have transmitted to the Navy Department. In my letter of the 29th of Sept., Mr. Jose' Galon Secretary of State, says my letter of the 28th is returned without an answer, because it is written in the English language; and his of the 30th

of

of the 30th of the Same month, in reply to mine of the 29th and returning the Same is simply a repetition of the Same excuse for not noticing it.

I could see no obligation on my part to correspond with the Government of Paraguay, in any other than my own language; knowing full well that it possessed the means of having my letters translated into its own language. I had reasons - apart from the consideration that President Lopez, in his presumptuous exercise of Authority, might conceive himself empowered to force me to correspond in his own language - for writing in English. The only person, associated with me, who is at all capable of transposing English into Spanish, is my clerk; and his imperfect knowledge of the language (as a translator) coupled with the fact that his translation would not be a fair and true expression of the tenor and import of my letters, determined me not to put myself in a position, in my official correspondence, in which I should be misrepresented: And, again, as President Lopez's acts of tyranny and oppression towards American Citizens against which I protested, were acts of public notoriety, it became my duty as the Agent of my Government, to define my position that the foreign population and the community generally, should understand the grounds on which I stood, in the protection of Americans.

To assume an attitude opposed to the will of the President of Paraguay, however so arbitrarily that will may have been exercised, was an offence, in the eyes of President Lopez which he could not conceive any one would dare commit; and as my note of Sept. 28th (written in terms most respectful) plainly but firmly assured him, as to the course it would become my duty to pursue - should there be a continuance

of the practices of insult and oppression towards the American Citizens, by the Government Officers - he did not wish that such a letter should be seen by any one, other than himself and his Secretary. He was as well aware of the contents of that letter, before he returned it, as I was; and he knows as well as I do the contents of the letter, I addressed the Secretary of State, by the hands of Lieutenant Murdaugh, a copy of which, I have the honor to inclose to the Department. I also inclose the reply of Mr José Falcon, in the original; from which the Honorable the Secretary will perceive, that the Government of Paraguay aims to be insulting even in the forms and ceremonies of its official notes. It neither begins nor ends in the usual style of courtesy adopted between the most humble citizens; neither is it the usual style of the official correspondence of the Paraguay Government. The importance attached to all such observances is no where so highly esteemed as in Paraguay.

President Lopez has refused to receive my official letter, informing him of the fact ~~that~~ I have been appointed by the President of the United States to Exchange the ratification of the Treaty. He cannot plead ignorance of its contents; and if he were, I cannot conceive that such an excuse can possibly be received by the Government of the United States. He does not express any inability on the part of the Paraguay Government to have English documents translated into Spanish? That Government has been addressed, on more occasions than one, by the State Department, in the English language. If I understand my duty aright, in my official communications with Paraguay, it is to make them in English. President Lopez has assumed this ground, for the purpose of showing to his cringing officials, by whom he is surrounded (if he can possibly carry his point) that

that he will make foreign governments, through their Agents, as well as Paraguay Subjects, bow to his despotic power. He commits these acts of insult, for the purpose of exhibiting to his own Subjects, and to the Nations around him, how he dares exercise his authority; and yet, hopes to escape being held responsible & answerable, by any foreign Government whom he may thus insult, in the obsequiousness of his correspondence, and the unwarrantable misrepresentations of facts.

The President of Paraguay, notwithstanding his contemptible insinuations in his official organ - a number of which I have forwarded to the Honorable the Secretary of the Navy - reflecting upon my conduct, does not specify one single act of mine, as being wanting in profound respect towards his Government, in all of my intercourse with it. But because, I removed the Americans, from under the tyrannical rule of his despotic power, he considers that I have committed, a most heinous offence: and for this reason he treats with contempt my official announcement - that I have been commissioned by the President of the United States, to Exchange the ratification of the Treaty.

President Lopez, has been in the habit of exercising his arbitrary power over the Province of Corrientes (one of the Argentine Confederation) because it has not the means of repelling his aggressions; and he deems it essential, to the maintenance of his uncontrolled sway, to exhibit to the People of Paraguay an assumption of the same authority, with all Nations.

I beg leave of the Department to indulge me in the expression of my opinion, touching the Subject of this communication. The pride of President Lopez has been wounded, by my presuming to remove from under his tyrannical rule, Americans, whom he determined

to persecute, some time longer. His hostility to Americans is a fact too well established to be hid under his professions of a sincere desire for <sup>the</sup> maintenance of the most friendly relations. He desires much that Paraguayans, in their benighted state, should acquire from Americans some ideas of the arts; but he apprehends, that, at the same time they acquire these, they may imbibe some notions of liberty and free government. He designs to make this act of his appear in Paraguay and in the adjoining States as an exhibition of his power; hoping through professions falsely made to quiet the Government of the United States, into an indulgence of him in his course, and induce a censure of its Agent. I deem this return of my note an insult to the Government of the United States; and I indulge the hope that such measures will be adopted as will convince the President of Paraguay, that the United States will not tolerate the indignities, it has been his habit to bestow upon other Governments.

The Government of the United States by assuming this position, will not only maintain that elevated stand, which is its right, in Paraguay, but in all other South American States. On the contrary, should it assume a conciliatory course, in manifestations of an earnest desire to maintain the most friendly relations, its motives will not be rightly judged, and the Government of Paraguay will be emboldened in the assumption of a course still more arrogant.

I trust that the Government of the United States will direct me to proceed to Asuncion, in the Water Witch; with a letter from the State Department to the Minister of Foreign Relations, informing him that I am commissioned to effect the Exchange of Ratification of the Treaty. Or, if I may be allowed the suggestion,

as a Surer means of accomplishing the object, the Commodore of the Brazil Squadron might be instructed to proceed to Asuncion on board of the Water Witch - with the Brig Bainbridge in tow. I feel confident in assuring the Department, that Such a course would result in the Exchange of Ratification. But Should it not, I hope the Government will instruct me how to proceed. There are some Governments, with which peaceable and friendly relations, it is well known, can be maintained, only by an exhibition of sufficient force, and a determination to submit to no indignity.

I have taken the liberty of expressing my opinion and making suggestions, touching this matter; in doing which, I ask the indulgence of the Department. I have been actuated by a sense of duty - a desire to inform the Department not only of the facts of the case, but of the results likely to arise from the designs and course of the Government of Paraguay, if acquiesced in.

The box containing the Treaty is still unopened, as I received it from the hands of Mr. Bucklow. Any instructions the Department may honor me with, shall be carried out, to the best of my ability.

I have the honor, Sir to be,

Very Respectfully

Yours, Obedt. Servt.

M. J. Peck

Lieut. Commanding  
U. S. Water Witch.

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Corrientes,

October 16th, 1854.

Copy  
 His Excellency  
 the Secretary of State  
 and Minister of Foreign  
 Relations -

Jose Galcan,  
 Asuncion, Paraguay, Sir,

The undersigned  
 Lieutenant Commanding the United States Steamer  
 Water Witch - Thomas J Page has the honor to inform  
 His Excellency Jose Galcan Secretary of State and  
 Minister of Foreign Relations, that he has, this day,  
 received, from the President of the United States, a  
 Commission to act on the part of his Government, in  
 the Exchange of Ratification of the Treaty - concluded  
 between the United States and the Republic of Para-  
 guay - on the 4th day of March 1853.

With this Commission, the undersigned  
 has received the Treaty, which he is instructed to  
 Exchange.

The undersigned desires to be informed  
 if he shall proceed, according to the instructions  
 from his Government, to the Capitol of Paraguay,  
 for the purpose of effecting the Exchange of Ratifi-  
 cation, above alluded to.

The undersigned will dispatch this  
 communication by Lieutenant Wm M Murdaugh - of  
 the United States Steamer Water Witch, who will,  
 in person, hand it to His Excellency, and will  
 receive his reply.

The undersigned avails himself of  
 the occasion to renew to His Excellency the assurance

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of his distinguished consideration.

(Signed) Thos. J. Page.

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## [ Translation ]

To Mr Thomas J Page

Commander of the Steamer Water Witch

Assumption October 21st 1854

In accordance with the <sup>Condition required</sup> resolution adopted  
in my previous communications of the 29th and 30th  
ultimo, I return you your letter dated at Corrientes  
on the 16th of October, written in English, <sup>without</sup> and of  
<sup>being accompanied by a signed</sup> which you have not furnished me with a transla:  
tion; expressing my astonishment that you perse:  
vere in your determination to annoy me.

Your obedient servant

José Falcon

Señor Tomas J. Page, Comandante del Vapor Water.  
Witch.

Asuncion, Octubre 21 de 1854.

Consigniente á la Condicion precedida en mis ante-  
riores del 29 y 30 del pp.<sup>do</sup>, devuelvo á U.S. su  
carta fecha 16 de Octubre en Graientes, escrita  
en ingles, sin acompañarme una traduccion fir-  
mada, extrañando que continúe en su idea de  
mortificarme.

De U.S.

Atento Servidor.

José Falcon  
C

# Recd 31st March

Mr Markie

692

Begin

U. S. Steamer, Water Witch  
Montevideo, Jan 28<sup>th</sup> 1856

Honorable

Wm. S. Marcy,  
Secretary of State,  
Washington, D.C.

Sir,

I have the honor to inform the Department, that, being about to leave these waters - their exploration, so far as it is open to me, having been completed - I have deposited, in the Legation at Buenos Ayres, under the charge of the Resident Minister, the Treaty, of which I was commissioned to exchange the ratification, with the government of Paraguay.

Immediately on the refusal of President Lopez to receive my communication - informing him of my instructions from my government, relative to the exchange of ratification - I communicated this fact to the State Department; also that I would keep the Treaty in my possession until further instructed. Having received no instructions relative to the matter, I have concluded that the best course for me to pursue is to leave the Treaty in the Legation at Buenos Ayres, subject to the orders of the Department.

I cannot but indulge the hope, and beg leave to express it, that the Department will never direct an Exchange of ratification, nor enter into negotiation with Paraguay, so long as the insult, which was inflicted <sup>upon</sup> our flag, through the outrage committed upon this vessel, remain unavenged.

I have the honor Sir to be,

Very Respectfully

Your Obedt. Servt.

J. I. Page

Lieut. Command.

U. S. S. Water Witch

G. G. GOSS

FEBRUARY 11, 1853

MEXICO

(see, Vol. 18, Special Agents)

CHRISTOPHER L. WARD

OCTOBER 1853

MEXICO

C. L. Ward  
from Oct 22 - 1853 to  
Dec 4 - 1853

Mr Mackin

647

Memorandum  
of instructions which Christopher L  
Ward, Esq<sup>r</sup>, Special Messenger to  
Mexico is directed to communicate ver-  
bally to James Gadsden Esquire Minister  
of the United States.

In the first place Mr Ward will  
present to him the Letter of introduction  
from the Secretary of State <sup>in cipher</sup> and explain  
the circumstances which rendered it  
proper in the opinion of the President,  
to communicate his views in relation  
to a Treaty for a new boundary by a  
Special Messenger rather than in the  
usual mode, - by a written despatch.  
Should a despatch upon that subject  
be intercepted and its contents become  
known to others than to President  
Santa Anna and his most trustworthy  
friends, all hopes of making a favorable  
arrangement in regard to a new boundary,  
would be at an end.

Mr Ward will submit to Mr  
Gadsden the several lines which have  
been considered by the President. The  
sum to be paid for either of these  
lines, is to be a full consideration for

the additional territory acquired by the United States in the change of the boundary, and for all damages and injuries which can be, in any way, claimed by Mexico, on her own account or on account of any of her citizens under the Treaty of Guadalupe Hidalgo dated 2<sup>d</sup> February, 1848.

There may also, be a reciprocal article in the new Treaty releasing Mexico from all damages and injuries which the United States may claim for themselves or on account of any of their citizens arising under any articles of the Treaty of Guadalupe Hidalgo.

For line N<sup>o</sup> 1 (with a general description of which Mr. Ward has been furnished and will submit to Mr. Gadsden) he is authorised to offer any sum up to fifty millions of dollars — to be paid in annual instalments of ten millions of dollars —

This line Mr. Ward will be able to trace on a map, and probably he can show Mr. Gadsden the map on which the line was traced here by the President. This line is much preferred to any other, and is the best for both parties because it

would be a permanent boundary, guarded and defended at much less expense than any other, and remove all serious apprehension of border difficulty. It would be desirable even with this boundary to get a stipulation releasing the United States from the obligations imposed on them by the XI<sup>th</sup> Article of the Treaty of the 2<sup>d</sup> of February, 1848. It is still more important if any of the lines hereafter mentioned should be obtained that there should be such a release.

For the line N<sup>o</sup> 2, which does not include the Peninsular of Lower California, Mr. Gadsden is authorized to offer the sum of Thirty five millions of dollars (if it could be obtained <sup>for cash</sup>) to be paid in the same manner as is proposed for the payment of the consideration for Line N<sup>o</sup> 1.

For the Line N<sup>o</sup> 3, he is authorized to offer Thirty millions of dollars (if it could be obtained <sup>to be paid</sup> for cash) in like manner. This line includes the Peninsular of Lower California.

For the Line N<sup>o</sup> 4 the sum of Twenty millions of dollars (if it could be obtained <sup>for cash</sup>) may be offered to be paid in one and two years, half in each.

If it should be found impracticable

to get either of the before mentioned Lines, then the object of the negotiation will be to get an eligible route for a Rail road from the Rio Grande to California. Frontera on the Rio Grande is accurately ascertained to be in Latitude 31° 48' and some seconds. A Line from that point of Latitude due West to the Gulf of California would throw within the limits of the United States a very good - perhaps the best - route for such a rail road. Though there has been but a partial reconnaissance there is but little doubt here entertained that a Line on the 32° parallel of latitude would give the United States a good route for a Rail Road from the Rio Grande to the Gulf, but neither a Line from Frontera or on the 32° parallel would be a good boundary, and if no better one can be obtained, it is important that with it there should be a release of the United States from the stipulations of the Eleventh Article of the existing Treaty of boundaries. For a release of all claims for damages and losses under that Treaty and a release from the Eleventh Article, together with a Line from

from Frontera or on the 32<sup>d</sup> parallel of Latitude the United States Minister is authorised to pay up to fifteen millions of dollars —

The sum mentioned for each line is the maximum which the United States Minister is authorised to offer.

He will get any one of the Lines indicated for a less sum if it be practicable.

He is vested with discretionary power to modify to some extent any one of these lines, keeping in view and obtaining the end ~~for~~ which he is aware, the United States have for negotiating a new line.

One of the modifications contemplated is the deflection of the line from the 111<sup>th</sup> Meridian of Longitude so as to pass by the shortest line to the Mouth of the Gila. This would equally with the proposed line secure the object of an uninhabited boundary but would give an awkward contour and deprive us of a port on the Gulf of California. Any considerable change will involve the propriety of a change in the amount of the consideration to be given. This is confided to his discretion influenced as it will be by the offers before specified.

It is believed that the condition of things in Mexico will not admit of a protracted negotiation and it has not been deemed expedient to complicate it with any other matters than a change of boundary, and the reciprocal claims which have arisen under the present Treaty of Peace and limits.

Should there be a prospect of making a Treaty within a short period Mr. Ward will remain for the purpose of bringing it to the United States.

Stole Sept. Wash<sup>n</sup>. Oct 22, 1853, W. L. Marcy

Recd 9. Novr.

Mr Mackie.

New Orleans, Oct. 31<sup>st</sup> - 1853. - 653

Hon. Wm. S. Marcy,

Secretary of State,

Washington City.



Dear Sir,

I take pleasure in informing you that I arrived in this city, this morning; and have made arrangements to leave in the Steam-Packet "Texas" to-morrow for Vera Cruz. - If no unforeseen impediment arises, I may hope to reach the City of Mexico by the 8<sup>th</sup> of November. -

In accordance with your advice, I enclose herewith, the copy of written instructions confided to my perusal; - retaining nothing of which I might be despoiled en route, but the letter in cypher, addressed to Gen. Gadsden. -

I have the honor to remain,

with much respect and esteem,

your obed<sup>t</sup>. serv<sup>t</sup>.

C. S. Ward. -

655  
Hon. James Gadsden,

Envoy Extraordinary & Minister de.

of the United States at the Mexican Republic.

Sir,

I proceed to

give you in writing, agreeably to your request, my best recollection of the Memorandum handed me by the Hon. Wm. S. Marcy, Secretary of State, which, in compliance with his suggestion to that effect, I returned to him through the mail, previous to my leaving the shores of the United States.

In the first place, I was directed to present to Gen. Gadsden, the letter of introduction in cypher, and to explain the circumstances, which rendered it proper in the opinion of the President, to communicate his views, by a special messenger, rather than in the usual mode, by a written dispatch. Should such a dispatch be intercepted and its contents become known to others, than the President Santa Anna and his most trust-worthy friends, (and even if to him or them) great embarrassments might result, in disposing of the different questions at issue between the two countries.

I was directed to submit to Gen. Gadsden the several lines which have been considered by the President, in regard to a new boundary. — The sum mentioned to be paid for either of these lines, is to be taken by the Mexican Republic in full consideration for the additional territory which may thus be acquired by the United States; and also for all damages claimed by Mexico on her own account, or on account of any of her citizens, as arising under any of the articles of the Treaty of Gualoupe Hidalgo — of 2<sup>nd</sup> of February, 1848. There may also be a reciprocal article, releasing the Mexican Republic from all damages and injuries which the United States may claim for themselves, or on account of their citizens, arising under any of the Articles of the same Treaty.

For the line No. 1, which I have submitted to Gen. Gadsden, he was authorized to pay as high as \$50,000,000, if he could not secure it for a less sum. The amount to be paid in instalments of \$10,000,000 per annum. — This line is much preferred by the President to any other; and it is deemed best for both parties, because it would form a permanent boundary, and be guarded and defended at much less expense than any other, and do away with the existing facilities and tendencies to border difficulties.

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For the line No. 2, of the accompanying memorandum, he was authorized as high as \$35.000.000 payable as before. — This line does not include the us of Lower California. —

For line No. 3, which does include that peninsula, he was authorized to allow 000.000, if it cannot be obtained for less; — payable in three yearly payments. —

For line "No. 4", called "proposed boundary" — as high as \$20.000.000 — payable in yearly payments. —

If it should be found impracticable to obtain either of the before mentioned lines, the first object should be to secure an eligible route for a rail-road to the Pacific; or rather from the Rio Grande to California. — Fronteras, on the Rio Grande has been accurately ascertained to be in Latitude  $31^{\circ} 48'$  & some seconds. A line from Fronteras due west, it is supposed would throw within the limits of the United States, probably the best route for such a road. — The reconnaissance

has been but a partial one; but little doubt is entertained that a boundary line on the 32nd parallel of Latitude, would afford a good route for a rail-way from the Rio Grande to the Gulf. — Neither the line from Fronteras, however, nor one on the 32nd parallel of Latitude would afford a good boundary. — Notif no other can be obtained, Gen. Gadsden is authorized to offer for either of them, as high as \$15.000.000.

The sums mentioned are the maximum points respectively; and, in each case was intended that a release from all claims under the Gadsden Treaty, as well as the entire abrogation of the Eleventh article of that Treaty, should be secured. —

Gen. Gadsden was left at liberty to modify to some extent, should he find it necessary any one of these lines — keeping in view the ends which his Government has, in so a new line. — One of these modifications was mentioned: which was, a deflection

of the new line as proposed, from the point of  $111^{\text{th}}$  Meridian of Longitude, so as to by a near line to the Rio Gila. — This might procure an uninhabitable boundary

but it would give an awkward contour, and deprive us of all chance for a Port Gulf of California. — Any considerable change in line, would involve a corresponding change in the amount to be given. —

It was believed that the present doubtful and distracted state affairs in Mexico, would permit a protracted negotiation; and it was not therefore deemed expedient, to present the attention of Gen. Gadsden, any other of the open questions between the two countries — or embrace any other in this special dispatch, except those of boundary and reciprocal claims which have arisen under the present treaty of peace and limit.

The foregoing is the spirit at least, and as nearly as can be recollected, the words of the Memoranda of instructions confided to the undersigned to be communicated verbally to Gen. Gadsden. —

I am constrained however, by what I know are the views

of the present Government of Mexico, to add, that I am <sup>657</sup>fully satisfied it was not the intention of the President of the United States, in reflecting at this time, specific instructions upon the other open questions of difficulty with Mexico, to preclude Gen. Gadsden from the exercise of a reasonable discretion, in making a treaty adjusting all these questions now pending between the two countries. — In truth, it appeared to the undersigned, that <sup>this reflect arose from</sup> ~~there was~~ more, a want of time on the part of the President in dispatching a messenger in <sup>season</sup> ~~season~~ for the sailing of the packet from New Orleans on the first of the present month, than any want of decision upon the points reflected. — During the consultation in regard to these subjects, the President repeatedly stated in the most decided terms, that he had ~~recently~~ examined the claims of American citizens, under the Grant made by Mexico to Don Jose de Garay, and fully concurred in the conclusions of the U. S. Senate Committee of Foreign Relations upon that subject; <sup>that he</sup> ~~and~~ was determined to support those claims in every proper form short of a declaration of war in regard to them alone, or for their specific enforcement; and that he would not recede from the position taken by the former administration in reference to the subsistence and validity of the Grant in question. — He also declared his full determination to repudiate the late Treaty made by the immediate predecessor of Gen. Gadsden, <sup>without transmitting it to the Senate,</sup> as being alike contrary to the instructions given by the Department of State at Washington, and injurious to the interests of the people of the United States. —

If, therefore, as the undersigned is induced to believe from information gathered since his arrival in Mexico, some satisfactory adjustment of this long-pending question can be reached, which will probably be acceptable to all parties concerned — it would manifestly be consonant with the views and the wishes of the President of the United States, that such an adjustment should enter into the terms of the new treaty. — A settlement of this question removes the only doubt which I understood the President to entertain, as to the propriety of providing also at this time by treaty arrangement, for the settlement of individual American claims for damages for Mexican spoliation; as it would take from the list of those claims, the only one likely to embarrass a Commission in a proper adjudication. —

It can scarcely escape the ripe reflection and experience of Gen. Gadsden, that if possible to do otherwise, to present to the American public, a treaty simply securing new territory, or a new route for a rail-way which has its rivals and will have its opponents in various forms; — in other words, a treaty looking solely to the speculative interests of our country, and paying large sums to promote them, while long-pending and real, injuries of individuals, are left unnoticed and unredressed — he would not be likely to obtain either for himself or the administration at home, that unqualified approval on the part of their constituents, which every public man has a right to be ambitious of, and which Gen. Gadsden therefore seems so successful in securing, whenever he has held a public position. —

So that, in every point of view, the undersigned is deeply of opinion, <sup>that</sup> ~~that~~ if the opportunity exists, or shall be presented, Gen. Gadsden will be fully justified in assuming

65<sup>at</sup>  
treaty, and ~~once~~, all the open points of difference between the United States  
and the Mexican Republic, if the settlement of the question of boundary shall <sup>not</sup> thus be greatly delayed.  
I have the honor to remain,  
with great respect, your friend  
a obed<sup>t</sup>. serv<sup>t</sup>. -

C. S. Ward. -

Casa de Hurtado, City of Mexico, }  
Nov. 14<sup>th</sup> 1853. - }

Gen. James Gadsden,

French. -

Gen. Wm. S. Marcy

Casa de Iturbide,

City of Mexico, Dec. 4<sup>th</sup> 1853.

65-9

Gen. Wm. S. Marcy,  
Secretary of State,

Dear Sir,

An opportunity occurs of sending you by the hand of a friend, a few hurried lines in regard to the position of affairs in this quarter. —

I forward by the same hand, a detailed statement of late public movements connected with the Government of Mexico; and the changes which have transpired here — with a view to its publication in the "Union". This may probably meet your eye when published, and obviates the necessity of any detailed recapitulation in this place — even should Gen. Gadsden not have fully advised you — which I presume he has done. —

But little progress has been made in the negotiations. I learn through a reliable source that two Commissioners will be named on Monday next, to act with the Minister of Relations, in deciding upon the new boundary line. — I have been furnished with the names of these Commissioners; and if correctly given, they are two General officers, who are familiar with the Mesilla region. After these shall have discussed the proposed line, then another Commission is to be created, to arrange the terms and general provisions of the Treaty. I learn also, there is no probability of your attaining more than the line designated as "Proposed Boundary" — being the fourth proposition, in the order they were given to me. —

For reasons referred to in my last, and which I am unwilling to trust upon paper in this country — but which I apprehend will be satisfactory both to the President and yourself, I shall extend my stay, until the next mail Packet, by which time I am persuaded, something definite in regard to the Treaty will have been reached. At least, by that time, I shall have collected such reliable information, as will place clearly before you, the probabilities in reference to Gen. Gadsden's being able to treat <sup>at</sup> all, and upon what terms. —

I have the honor to remain, dear sir,

your friend & obed<sup>t</sup>. serv<sup>t</sup>.

C. S. Ward. —

Casa de Torreblanca

City of Mexico, Dec. 4 1853.

Hon: Wm. L. Marcy.

Secretary of State.

Dear Sir.

An opportunity occurs of sending you by the hand of a friend a few hurried lines in regard to the position of affairs in this quarter.

I forward by the same hand, a detailed statement of late public movements connected with the Government of Mexico; and the changes which have transpired here - with a view to its publication in the "Union." This may probably meet your eye when published, and obviates the necessity of any detailed recapitulation in this place - even should Gen. Gadsden not have fully advised you - which I presume he has done.

But

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For reasons referred to in my last, and which I was unwilling to trust upon paper

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I am persuaded something definite in regard  
to the Treaty will have been reached. At  
least, by that time, I shall have collected  
such reliable information, as will place clearly  
before you, the probabilities in reference  
to Genl. Gadsden's being able to treat  
at all, and upon what terms.

I have the honor to remain, dear Sir,  
Your friend & obedient servant,  
C. L. Ward.

No. 14. 1853

(Copy.)

Hon: James Gadsden,

Envoy Extraordinary,  
and Minister Sec. of the United States  
at the Mexican Republic.

Sir:

I proceed to give  
you in writing, agreeably to your request,  
my best recollection of the Memorandum  
handed me by the Hon: W. L. Marcy,  
Secretary of State, which, in compliance  
with his suggestion to that effect, I returned  
to him through the mail, previous to my  
leaving the shores of the United States.

In the first place I was directed to  
present to Gen: Gadsden, the letter of intro-  
duction in Cypher, and to explain the  
circumstances which rendered it proper  
in the

in the opinion of the President, to communicate his views by a special messenger, rather than in the usual mode, by a written despatch. Should such a despatch be intercepted, and its contents become known to others than the President Santa Anna and his most trustworthy friends, (and even if to him or them) great embarrassments might result, in disposing of the different questions at issue between the two countries.

I was directed to submit to Genl. Gadsden the several lines which have been considered by the President, in regard to a new boundary. The sum mentioned to be paid for either of these lines, is to be taken by the Mexican Republic in full consideration for the additional territory which may thus be acquired by the United States; and also  
for all

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for all damages claimed by Mexico on her own account, or on account of any of her citizens, as arising under any of the articles of the Treaty of Guadalupe Hidalgo, of 2<sup>d</sup> of February, 1848. There may also be a reciprocal article, releasing the Mexican Republic from all damages and injuries which the United States may claim for themselves, or on account of their citizens, arising under any of the Articles of the same Treaty.

For the line N<sup>o</sup>. 1. which I have submitted to Genl. Gadsden, he was authorized to pay as high as \$50,000,000. if he could not secure it for a less sum. The amount to be paid in instalments of \$10,000,000. per annum. This line is much preferred by the President to any other; and it is deemed best for both parties, because it would

would form a permanent boundary, and be guarded and defended <sup>at</sup> much less expense than any other, and do away with the existing facilities and tendencies to border difficulties.

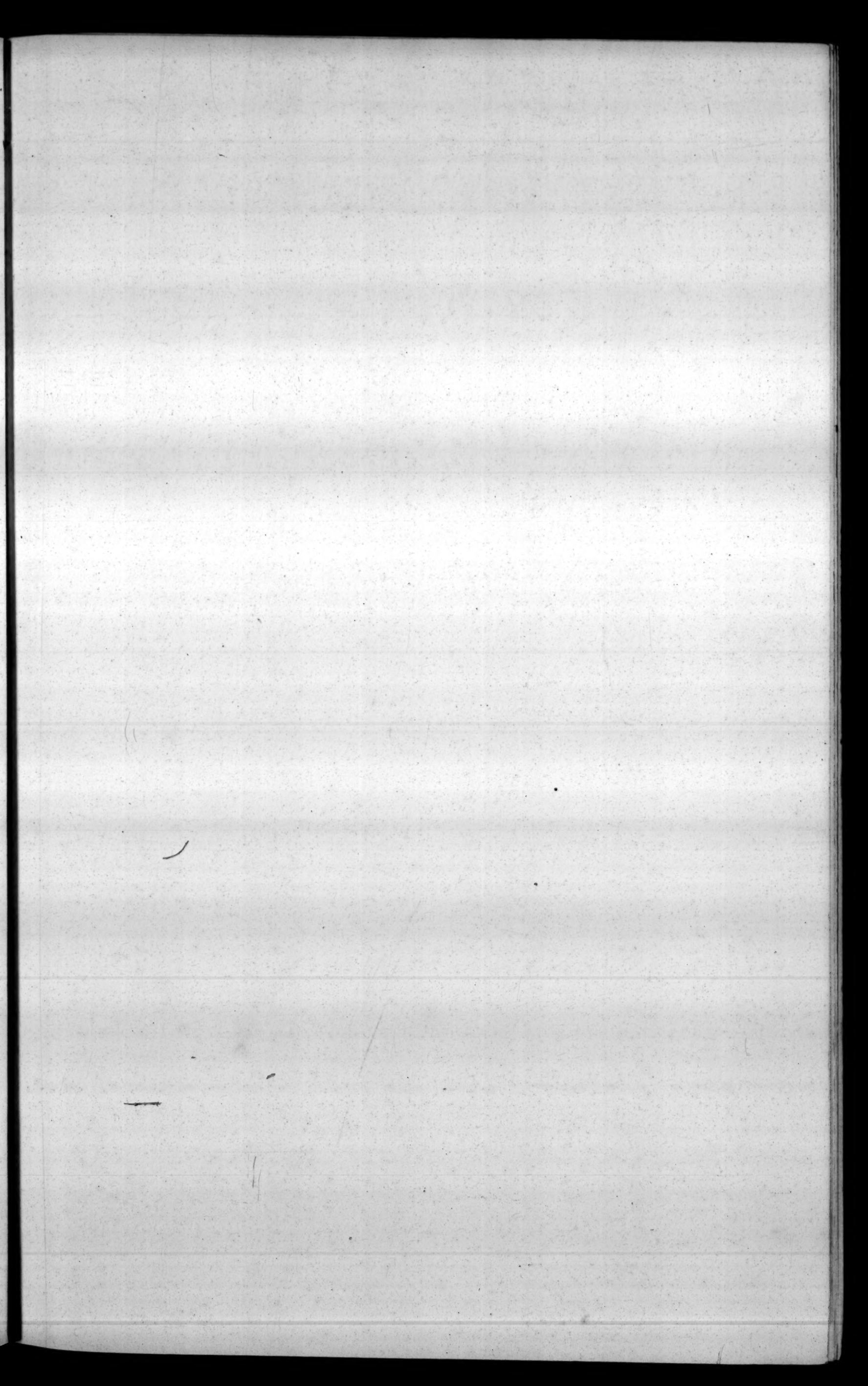
For the line N<sup>o</sup> 2. of the accompanying memorandum, he was authorized to offer as high as \$35,000,000. payable as before. This line does not include the isthmus of Lower California.

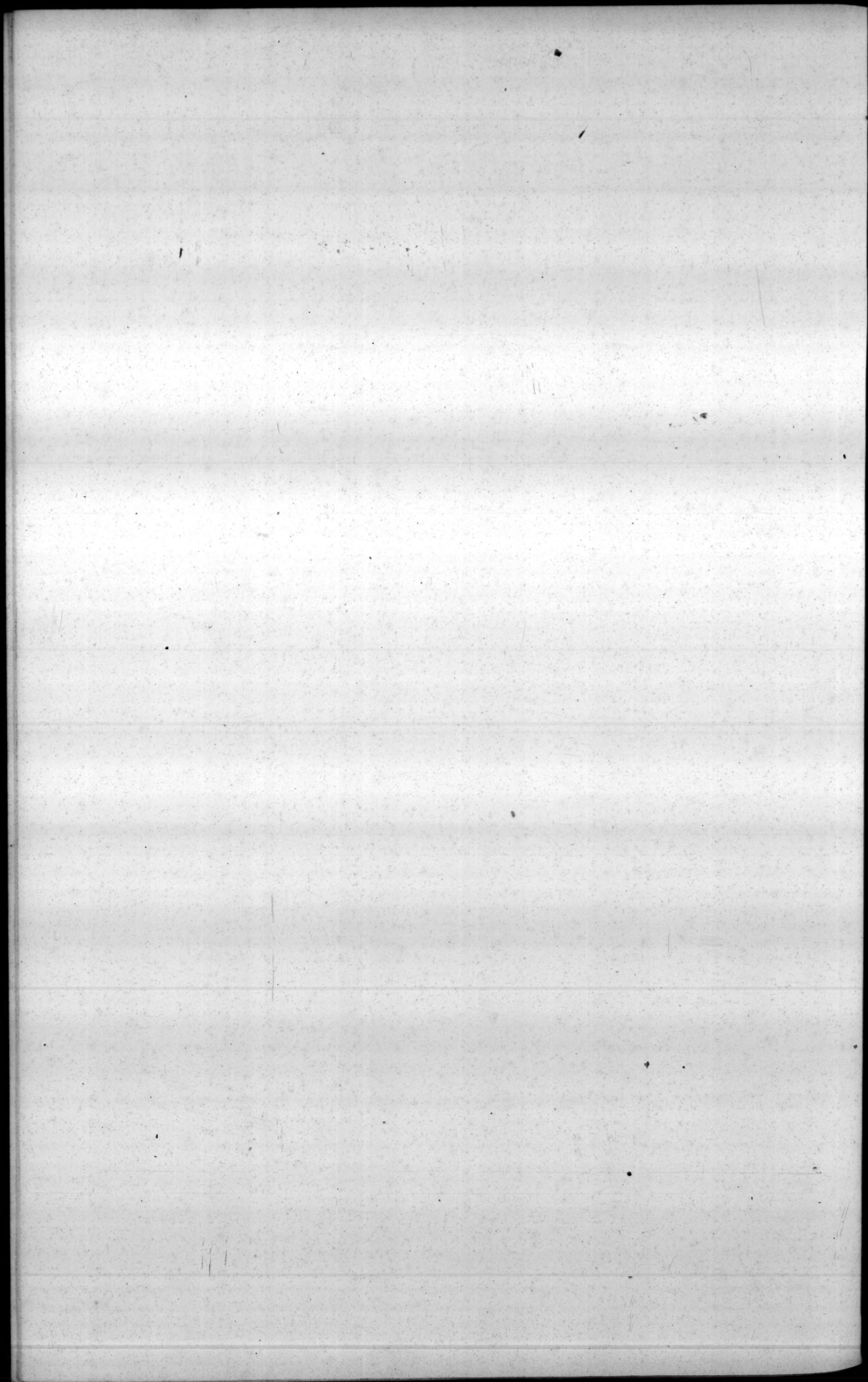
For line N<sup>o</sup> 3, which does include that peninsula, he was authorized to allow \$30,000,000. if it cannot be obtained for less; payable in three yearly payments.

For line N<sup>o</sup> 4, called "proposed boundary" as high as \$20,000,000, payable in two yearly payments.

If it should be found impracticable

Cable





cable to obtain either of the before mentioned lines, then the first object should be to secure an eligible route for a rail-road to the Pacific, or rather from the Rio Grande to California.

Frontera, on the Rio Grande, has been accurately ascertained to be in latitude  $31^{\circ}48'$  and some seconds. A line from Fronteras due west, it is supposed would throw within the limits of the United States, probably the best route for such a road. The reconnaissance has been but a partial one; but little doubt is entertained that a boundary line on the  $32^{\text{nd}}$  parallel of latitude would afford a good route for a railway from the Rio Grande to the Gulf. Neither the line from Frontera, however, nor one on the  $32^{\text{nd}}$  parallel of latitude would afford a good boundary.

But if no other can be obtained, Genl. Sach-

den

den is authorized to offer for either of them as high as \$ 16,000,000.

The sums mentioned are the maximum points respectively; and in each case it was intended that a release from all claims under the Guadalupe Treaty, as well as the entire abrogation of the Eleventh Article of that Treaty, should be secured. Genl. Gadsden was left at liberty to modify, to some extent, should he find it necessary, any one of these lines, - keeping in view the ends which his Government has in securing a new line. One of these modifications was mentioned, which was, a deflection of the new line as proposed, from the point of the 111<sup>th</sup> Meridian of Longitude, so as to pass by a near line to the Rio Gila. This might procure an uninhabitable boundary, but it would give an awkward contour,

and

and deprive us of all Chance for a Port on the Gulf of California. Any considerable Change in line would involve, of course, a corresponding Change in the amount to be given.

It was believed that the present doubtful and distracted State affairs in Mexico, would not permit a protracted negotiation; and it was not therefore deemed expedient, to press upon the attention of Genl. Gadsden, any other of the open questions between the two countries, or embrace any other in this special despatch, except those of boundary and the reciprocal claims which have arisen under the present Treaty of peace and limits.

The foregoing is the spirit at least, and as nearly as can be recollected, the words  
of the

of the Memoranda of instructions, Confided to  
the Undersigned, to be communicated verbally  
to Genl. Gadsden. - I am constrained, however,  
by what I learn are the views of the present  
Government of Mexico, to add, that I am fully  
satisfied it was not the intention of the  
President of the United States, in neglecting at  
this time, specific instructions upon the other  
open questions of difficulty with Mexico, to  
preclude Gen. Gadsden from the exercise of  
a reasonable discretion, in making a treaty  
adjusting all these questions now pending  
between the two Countries. In truth, it ap-  
peared to the Undersigned, that this neglect  
arose more from a want of time on the  
part of the President in despatching a  
messenger in season for the sailing of the  
packet from New Orleans, on the first of  
the

the present month, than any want of decision upon the points neglected. During the consultation in regard to these subjects the President repeatedly stated in the most decided terms, that he had recently examined the claims of American Citizens, under the grant made by Mexico to Don José de Garay, and fully concurred in the conclusions of the U. S. Senate Committee of Foreign Relations upon that subject; that he was determined to support those claims in every proper form short of a declaration of war in regard to them alone, or for their specific enforcement; and that he would not recede from the position taken by the former administration in reference to the subsistence and validity of the Grant in question. He also declared his full determination to repudiate the late Treaty made

made by the immediate predecessor of Gen. Gadsden, without transmitting it to the Senate, as being alike contrary to the instructions given by the Department of State at Washington, and injurious to the interests of the people of the United States.

I, therefore, as the undersigned is induced to believe from information gathered since his arrival in Mexico, some satisfactory adjustment of this long pending question can be reached, which will probably be acceptable to all parties concerned, - it would manifestly be consonant with the views and the wishes of the President of the United States, that such an adjustment should enter into the terms of the new treaty. A settlement of this question removes the only doubt which I understood the President to entertain, as to  
the

the propriety of providing also at this time, by treaty arrangement, for the settlement of individual American Claims for damages for Mexican Spoliations; as it would take from the list of those Claims the only one likely to embarrass a Commission in a proper adjudication.

It can scarcely escape the ripe reflection and experience of Gen. Fulsden, that if possible to do otherwise, to present to the American public, a treaty simply securing new territory, or a new route for a rail way which has its rivals and will have its opponents in various forms; - in other words, a treaty looking solely to the speculative interests of our country, and paying large sums to promote them, while long-pending and real injuries of individuals, are left unnoticed and unredressed - he would not be likely

likely to obtain either for himself or the administration at home, that unqualified approval on the part of their constituents, which every public man has a right to be ambitious of, and which Gen. Gadsden has heretofore been so successful in securing, whenever he has held a public position.

So that, in every point of view, the undersigned is clearly of opinion, if the opportunity exists or shall be presented, Gen. Gadsden will be fully justified in arranging in one treaty, and at once, all the open points of difference between the United States and the Mexican Republic, if the settlement of the question of boundary shall not thus be greatly delayed.

I have the honor to remain,

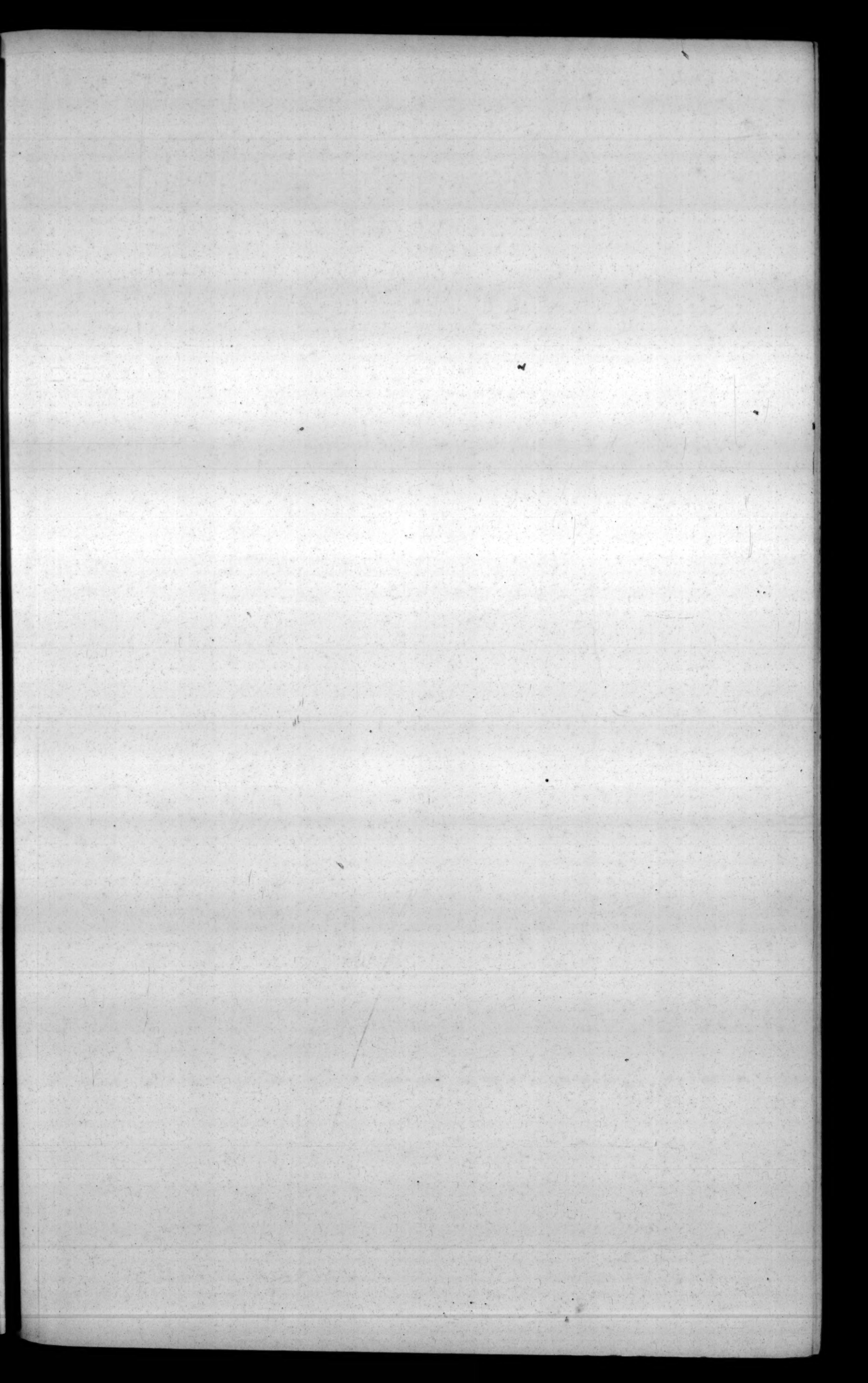
With great respect, your friend,

And of <sup>the</sup> serv.

C. S. Ward. —

Casa de Alvarado,

City of Mexico, Nov. 14<sup>th</sup> 1853.



From a point on the Gulf of Mexico midway between the Boguillas Benadas and the Barra de Santander Westward along the ridge dividing the waters which flow into the river San Fernando from those which flow into the River Santander to the Coast range of Mountains - Thence obliquely across that range on the South side of the Pass of Linares and along the heights which border the desert plains of Durango to a point South of the Lakes de Alamo and Parras - Thence along the highlands on the West side of the said Lakes following the principal ridge which divides the waters flowing into the Rio Conchos and Rio Tabinos up to the mountain ridge contiguous to the Rio Grande - Thence along said ridge and across the Conchos river up to the parallel of San Blas and thence Westwardly passing on the South side of Lake Guzman along the highlands in the middle of the plains which divide the waters flowing into the Gulf of California, from those flowing into the Rio Grande and Gila until the line so traced shall intersect the 111<sup>th</sup> degree of longitude West of Greenwich - and thence in a direct course to the Gulf of California at the 31<sup>st</sup> degree of North latitude - Thence down the middle of said Gulf to its Southern extremity and around the Southernmost point of the Cape of Lower California and along its Western Coast including all adjacent islands to the termination of the U.S. Boundary on the Pacific.

This will include an area of, say 125,000 Square miles.

Ultimate \$50,000,000 in an inst. of \$10,000,000

No 2.

Marked in red pencil.

13

From a point on the Gulf of Mexico midway between the Rio Grande, and the Rio San Fernando, Westwardly through the middle of the plain which divides the waters flowing into the Rio Grande and the Rio San Fernando, until the line so drawn shall reach the highlands, and thence along said highlands, so as to include the waters flowing into the Rio Grande to the Pass of Los Muertos, thence Northwestwardly along the highlands, including the waters of the Rio Grande, to a point on said River, between the mouth of the Rio Pecos and the Presidio del Norte, where the highlands thus defined are intersected by the Rio Grande. Thence along said river to the 31<sup>st</sup> degree of North latitude - thence from the Cañon of the Rio Grande below San Eliazario, north latitude thirty one along the mountain ridge which is contiguous to the Rio Grande, up to the parallel of the Presidio San Eliazario. Thence Westwardly passing on the South side of Lake Guzman along the highlands ~~or~~ the middle of the plains which divide the waters flowing into the Gulf of California from those flowing into the Rio Grande and Gila until the line so traced shall intersect the 111<sup>th</sup> of longitude west of Greenwich. Thence in a direct course to the Gulf of California at the 31<sup>st</sup> degree of North latitude. Thence west to the middle of the Gulf of California. Thence up the centre of the said Gulf and the Channel of the Rio Colorado to the present Boundary of the United States -

This will include an area of,  
Say 50,000 Square miles -

\$35,000,000 in rich lands

N<sup>o</sup> 3. marked in black to the gulf & then  
in lake

14

From the Cañon of the Rio Grande below San  
Chasario North latitude thirty one along the mountain  
ridge which is contiguous to the Rio Grande up to  
the parallel of the Presidio San Chasario. Thence  
westwardly passing on the South side of Lake  
Guzman along the highlands in the middle of the  
plains which divide the waters flowing into the  
Gulf of California from those flowing into the  
Rio Grande and Gila, until the line so traced shall  
intersect the 111<sup>th</sup> degree of longitude West of Greenwich.  
Thence in a direct course to the Gulf of California  
at the 31<sup>st</sup> degree of North latitude. Thence down  
the middle of said Gulf and around the Southern-  
most cape of Lower California and along its Wes-  
tern coast including all adjacent islands up to  
the present boundary of the United States.

This will include an area of,  
say 68,000 Square miles.

640

\$30,000,000 in individuals -

2720

8

40,520,000

Proposed Boundary. marked by black lines

From the Cañon of the Rio Grande below San Eliazaria, north latitude at or near <sup>Thirty first</sup> The 31<sup>st</sup> degree, along the mountain ridge which is contiguous to the Rio Grande up to the parallel of the Presidio San Eliazario. Thence Westwardly passing on the South side of Lake Guzman along the highlands or the middle of the plains which divide the waters flowing into the Gulf of California from those flowing into the Rio Grande and Gila until the line so traced shall intersect the 111<sup>th</sup> degree of longitude West of Greenwich. Thence in a direct course to the Gulf of California at the 31<sup>st</sup> degree of North latitude. Thence West to the middle of the Gulf of California. Thence up the centre of the said Gulf and the channel of the Rio Colorado to the present boundary of the United States. X—

This will include an area of say 18,000 Square miles.

640

720,000

10.8

11,520,000

5,000,000

6,520,000

\$20,000,000 in two instalments -

The project which he has  
presented is so little decorous,  
so irritating and inadmissible, that  
I entertain very little hopes or  
none at all of its having a hap-  
py termination.

[Special Messenger No. 3]

Memorandum of instructions which Christopher L. Ward, Esq., Special Messenger to Mexico is directed to communicate verbally to James Gadsden, Esquire, Minister of the United States.

In the first place Mr. Ward will present to him the letter of introduction from the Secretary of State in cypher and explain the circumstances which rendered it proper in the opinion of the President, to communicate his views in relation to a Treaty for a new boundary by a Special Messenger rather than in the usual mode, - by a written despatch. Should a despatch upon that subject be intercepted and its contents become known to others than to President Santa Anna and his most trustworthy friends, all hopes of making a favorable arrangement in regard to a new boundary would be at an end.

Mr. Ward will submit to Mr. Gadsden the several lines which have been considered by the President. The sum to be paid for either of these lines, is to be a full consideration for the additional territory acquired by the United States in the change of the boundary, and for all damages and injuries which can be, in any way, claimed by Mexico, on her own account or on account of any of her citizens under the Treaty of Guadalupe Hidalgo dated 2d February, 1848.

There may, also, be a reciprocal article in the new Treaty releasing Mexico from all damages and injuries which the United States may claim for themselves or on account of any of their citizens arising under any articles of the Treaty of Guadalupe Hidalgo.

For line No. 1 (with a general description of which Mr. Ward has been furnished and will submit to Mr. Gadsden) he is authorized to offer any sum up to fifty millions of dollars, to be

paid

paid in annual instalments of ten millions of dollars. This line Mr. Ward will be able to trace on a map, and probably he can show Mr. Gadsden the map on which the line was traced here by the President. - This line is much preferred to any other, and is the best for both parties because it would be a permanent boundary, guarded and defended at much less expense than any other, and remove all serious apprehension of border difficulty. It would be desirable even with this boundary to get a stipulation releasing the United States from the obligations imposed on them by the XI<sup>th</sup> Article of the Treaty of the 2d of February, 1848. It is still more important if any of the lines hereafter mentioned should be obtained that there should be such a release.

For the line No. 2, which does not include the peninsular of Lower California, Mr. Gadsden is authorized to offer the sum of Thirty five millions of dollars (if it cannot be obtained for less) to be paid in the same manner as is proposed for the payment of the consideration for Line No. 1.

For the line No. 3, he is authorised to offer thirty millions of dollars (if it cannot be obtained for less) to be paid in like manner. This line includes the Peninsular of Lower California.

For the Line No. 4 the sum of Twenty millions of dollars (if it cannot be obtained for less) may be offered to be paid in one and two years, half in each.

If it should be found impracticable to get either of the before mentioned Lines, then the object of the negotiation will be to get an eligible route for a railroad from the Rio Grande to California. Frontera on the Rio Grande is accurately ascertained to be in Latitude 31° 48' and some seconds. A Line from that point of Latitude due West to the Gulf of California would throw within the limits of the United States a very good - perhaps the best - route for such a railroad. Though there has been but a partial reconnaissance there is but little doubt here entertained that a

Line on the 32d parallel of latitude would give the United States a good route for a railroad from the Rio Grande to the Gulf, but neither a Line from Frontera or on the 32d parallel would be a good boundary, and if no better one can be obtained, it is important that with it there should be a release of the United States from the stipulations of the Eleventh Article of the existing Treaty of boundaries. For a release of all claims for damages and losses under that Treaty and a release from the Eleventh Article, together with a Line from Frontera or on the 32d parallel of Latitude the United States Minister is authorized to pay up to fifteen millions of dollars.

The sum mentioned for each line is the maximum which the United States Minister is authorized to offer. He will get any one of the Lines indicated for a less sum if it be practicable. He is vested with discretionary power, to modify to some extent any one of these lines, keeping in view and obtaining the end which he is aware, the United States have for negotiating a new line. One of the modifications contemplated is the deflection of the line from the 111th meridian of longitude so as to pass by the shortest line to the mouth of the Gila. This would equally with the proposed line secure the object of an uninhabited boundary but would give an awkward contour and deprive us of a port on the Gulf of California. Any considerable change will involve the propriety of a change in the amount of the consideration to be given. This is confided to his discretion influenced as it will be by the offers before specified.

It is believed that the condition of things in Mexico will not admit of a protracted negotiation and it has not been deemed expedient to complicate it with any other matters than a change of boundary, and the reciprocal claims which have arisen under the present Treaty of peace and limits.

Should there be a prospect of making a Treaty within a

short

short period Mr. Ward will remain for the purpose of bringing it to the United States.

W. L. Marcy

State Department

Washington, October 22d, 1854.

## No. 1.

From a point on the Gulf of Mexico midway between the Boguillas Cenadas and the Barrade Santander westward along the ridge dividing the waters which flow into the river San Fernando from those which flow into the river Santander to the Coast range of mountains. Thence obliquely across that range on the south side of the Pass of Sinares and along the heights which border the desert plains of Durango to a point south of the Lakes de Alamo and Sarras. Thence along the highlands on the westside of the said Lakes following the principal ridge which divides the waters flowing into the Rio Conchos and Rio Sabinas up to the mountain ridge contiguous to the Rio Grande. Thence along said ridge and across the Conchos river up to the parallel of San Eliasario and thence westwardly passing on the south side of Lake Guzman along the high lands or the middle of the plains which divide the waters flowing into the Gulf of California from those flowing into the Rios Grande and Gila until the line so traced shall intersect the 111th degree of longitude west of Greenwich and thence in a direct course to the Gulf of California at the 31st degree of North latitude. Thence down the middle of said Gulf to its Southern extremity and around the Southernmost point of the cape of Lower California and along its western coast including all adjacent islands to the termination of the U.S. Boundary on the Pacific.

This will include an area of say, 125,000 square miles.

## No. 2.

From a point on the Gulf of Mexico midway between the Rio Grande, and the Rio San Fernando, westwardly through the middle of the plain, which divides the waters flowing into the Rio Grande and the Rio San Fernando, until the line so drawn shall reach the highlands and thence along said highlands.

highlands, so as to include the waters flowing into the Rio Grande to the Pass of Los Muertos, thence northwesterly along the high lands, including the waters of the Rio Grande, to a point on said river, between the mouth of the Rio Pecos and the Presidio del Norte, where the highlands thus defined are intersected by the Rio Grande. Thence along said river to the 31st degree of north latitude - thence from the canon of the Rio Grande below San Eliasario, north latitude thirty one along the mountain ridge which is contiguous to the Rio Grande, up to the parallel of the Presidio San Eliasario. Thence westwardly passing on the south side of Lake Guzman along the highlands or the middle of the plains which divide the waters flowing into the Gulf of California from those flowing into the Rios Grande and Gila until the line so traced shall intersect the 111th of longitude west of Greenwich - Thence in a direct course to the Gulf of California at the 31st degree of north latitude. Thence west to the middle of the Gulf of California - Thence up the centre of the said Gulf and the channel of the Rio Colorado to the present boundary of the United States.

This will include an area of, say 50,000 square miles.

No. 3.

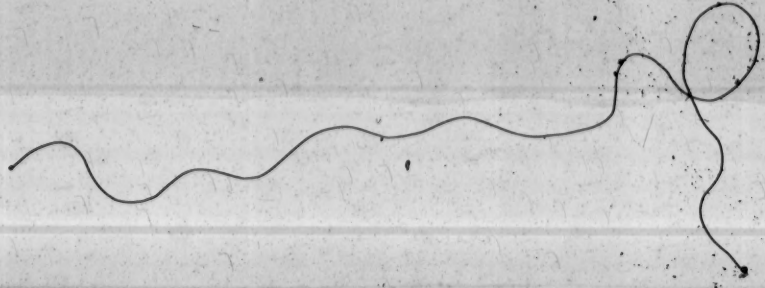
From the canon of the Rio Grande below San Eliasario, north latitude thirty one along the mountain ridge which is contiguous to the Rio Grande up to the parallel of the Presidio San Eliasario. Thence westwardly passing on the south side of Lake Guzman along the highlands or the middle of the plains which divide the waters flowing into the Gulf of California from those flowing into the Rios Grande and Gila until the line so traced shall intersect the 111th degree of longitude west of Greenwich - Thence in a direct course to the Gulf of California at the 31st degree of north latitude.- Thence down the middle of said Gulf and around the Southern-most cape of Lower California and along its western coast including all adjacent islands up to the present boundary of the United States.

This will include an area of, say - 68,000 square miles.

Proposed Boundary.

From

something omitted?



From the canon of the Rio Grande below San Eliasario, north <sup>thirty-one</sup> latitude along the mountain ridge which is contiguous to the Rio Grande up to the parallel of the Presidio San Eliasario. Thence westwardly passing on the south side of Lake Guzman along the highlands or the middle of the plains which divide the waters flowing into the Gulf of California from those flowing into the Rios Grande and Gila until the line so traced shall intersect the 111th degree of longitude west of Greenwich. - Thence in a direct course to the Gulf of California at the 31st degree of north latitude. Thence west to the middle of the Gulf of California - Thence up the centre of the said Gulf and the channel of the Rio Colorado to the present boundary of the United States.

This will include an area of 18,000 square miles.

DIVISION OF  
PUBLICATIONS

DEPARTMENT OF STATE  
WASHINGTON

24

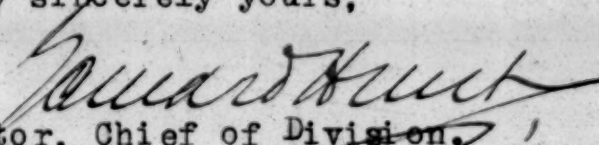
March 29, 1922.

Professor J. Fred Rippy,  
Department of History,  
The University of Chicago.

My dear Professor Rippy:

I enclose a copy of the instructions given to Christopher L. Ward, Special Messenger to Mexico. There are no other instructions to Mr. Ward recorded. The document is not dated but the previous document recorded was in April, 1854. You owe the copyist \$1.50 for the copy.

Very sincerely yours,

  
Editor, Chief of Division,

ISRAEL D. ANDREWS

APRIL 15, 1854

CANADA

(See, Vols. 16 & 17, Special Agents)

CHARLES R. BUCKALEW

JUNE 2, 1854

PARAGUAY

Rev. Mr. Janney Mr. Mackay,

631

Hanbury Jan'y 14. 1855.

Dear Sir:-

I forward a letter from Lieut. Page of the Steamer Mata Wetch, acknowledging the reception of the Treaty sent by me. I am unable at present to come to Washington in consequence of my duties as a member of the Senate of this State - but will come as soon as I conveniently can, to settle my account for expenses & compensation.

If you wish me to do so I will give you my views upon the differences lately arising between the President of Paraguay & Consul Hopkins. At present I do not care to volunteer observations on the subject.

Very faithfully Yours  
C. R. Buckalew

Hon. W. L. Marcy  
Secy. of State -

W. L. CAZENEAU

JUNE 17, 1854

SANTO DOMINGO

Synopsis of Instructions  
To Wm. L. Cazneau, Esq.

June 17. 1854. - Appointed Commissioner  
to Dominica, with authority  
to negotiate a Treaty. - Draft of same sent him.  
No new feature in it except leave of a Coal Depot.  
The language of the said proposal may be  
changed, but no alteration in its essential  
features & no new principle introduced.  
Article XXVII, of Treaty gives the reasons  
the U. S. proposes for entering into a Treaty  
with Dominica - the acquirement of the  
tract of Land in Sarnana Bay. If a  
better locality is found it should be preferred.  
Care in making the selection for a Coal Depot.  
Consult with an Engineer, if present. A mile  
square of territory sufficient. Care to be  
had in obtaining with the grant, all rights  
of authority & control over it. - This  
concession by the U. S. would give stability  
to the Dominican Republic. Its advantages.  
The negotiation to be accomplished  
speedily, & if possible already ratified  
by the Dominican Republic.

Unless said Depot is granted & the other terms asked by the U. States, the Senate not likely to approved of it, indeed the President might not even submit it for advice. - Rent of Depot not over two or three hundred dollars;

Compensation \$8. per day & necessary personal travelling expenses.

Secrecy strictly enjoined on this matter during his mission, & as long as practicable. -

Instruction to  
Jonathan Elliott, Esq.  
October 5<sup>th</sup> 1855.

A Treaty signed with  
Dominica Oct 5. 1854. Supposed  
to be approved, with amendments by  
the Dominican Congress - The State  
Dept: without a copy of these  
amendments & can form no opinion  
as to its being acceptable. - The Treaty  
as signed is like other treaties & clear  
in its language. - Mr. Elliott to

Send copy of amendments to State Department  
 & ascertain whether they are to be insisted upon.  
 If insisted upon, the U. S. cannot conclude a  
 treaty for the present. If Dominica recede  
 from these amendments, authority is given  
 him to ~~conclude~~ make an overture for  
 concluding the Treaty of Oct. 5<sup>th</sup> 1854.  
 Coal Depot very desirable at Samana  
 Bay, its advantages to steamers  
 between New York & San Juan del Norte.  
 He is to urge this grant; The Dominican  
 Republic is deterred from acceding to this  
 grant, from apprehensions that U. S. become  
 territorial proprietors & finally acquire  
 the sovereignty of Dominica. These are  
 unfounded - the stipulation speaks for  
 itself. If Depot cannot be had at  
 Samana, obtain any other convenient.  
 If Samana be refused & another offered,  
 the U. S. would treat for it after  
 making a survey of the land.

(over)

564  
Instructions to Jonathan Elliott.  
Oct 9. 1855.

No full statement of the  
amendments to Treaty of 5 Oct 1854 -  
recd. by State Depart. Mr. Casneau  
mentions incidentally that the amendment  
to Art. 3<sup>d</sup> proposes to place Dominicans,  
in the U. States, of all complexions, on the  
same footing as citizens of the U. States.  
This is not to be entertained, it being  
contrary to the feeling of a large proportion  
of our citizens. The Dominican Govt.  
to be asked to recede on this point.  
The Safety & peace of the Southern States  
require this exclusion - & it is hoped  
the Dominican Govt. will appreciate  
this necessity.

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565

Instructions  
To Mr. L. Casneau.

April 7. 1859.

Appointed Special  
Agent to Dominica - with letter  
to Min: of For: Relations.  
He is to acquaint himself with the  
State of the Country & give all information  
he can collect. - Especially upon the  
stability of the gov: - prospects of trade  
& productions, security & protection to  
foreigners, particularly citizens of the  
U. S. & any special case demanding  
the intervention of the U. S. government.  
More explicit instructions will be sent him.  
Also direct his inquiries to the subject  
of a negotiation of a commercial Treaty  
& report fully all information & his  
views.

A sealed communication to Min: of  
For: Relations enclosed, respecting  
the claim of citizens of the U. S. States  
in the case of the Charles Hill.

Views of U. S. on this subject. -  
The proceedings of the Court at St. Domingo  
amounts to a denial of justice. -

(over)

566  
Not to deliver letter addressed to Min:  
of For: Affairs if reparation has  
been rendered in the case of the  
"Charles Still". To use his best  
efforts to settle this claim satisfactorily.  
Compensation \$8. per day & he is to  
actual travelling expenses while  
in transit & keep up & vouchers.  
Advanced \$800. & to draw  
in Defect when necessary. >

1.  
567  
Reports from

Wm L. Casneau Esq.

Special Agent. ~~Dominica~~ V.C.

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January 23: 1854.

Meeting of Congress to  
revise Constitution; this circumstance is  
favorable to the U. States. Peculiar situation  
of Dominica. Limited Population; the  
enmity of Hayti to it. Dominica being  
ignored by America looks to England  
France & Spain for protection. The war  
of races its scourge. Its elements of -  
durability, size, commercial advantages,  
productions, & mineral & agricultural.  
Its struggle for independence - free from  
debt, - has a small navy - determined  
character & courage of its people -  
Great confidence in their President,  
Genl Pedro Santana. Its Constitution  
liberal, democratic & representative,  
tho' central. Respected by both the  
government & the people. The revised  
Constitution will be favorable to American  
interests.

Foreigners can hold & transfer real estate.  
 Provision as to persons born in Dominica  
 or out of it - their citizenship - : Emigrant  
 Societies: Lands assigned them -  
 they continue to claim nationality as  
 Americans: - their industry, intelligence  
 & orderly conduct, - Dominica relies  
 upon her militia for defense against  
 Hayti. Its organization & support.  
 The regular army & its employment.  
 Arms, munitions &c. purchased  
 from the U. S. & paid for. -  
 Its independence acknowledged  
 by & Treaties entered into with -  
 England, France, Denmark and  
 the Netherlands: these last pay  
 but half tonnage duties - other  
 nations double. Their desire to  
 be recognized by the U. S. -  
 Its Diplomatic relations. The claims  
 of France upon Hayti, in indemnities  
 to the French colonists. Dominica's  
 refusal to admit the demands of  
 France: that power would seize  
 Dominica, but for fear of giving

offence to the U. S. States. The moral influence of the U. S. - by recognition, would suffice to the protection of Dominica. Without this she is dependent upon Europe. Her self sustaining ability if freed from European interference. —

Haiti, its population exclusively black - Its policy as compared to that of Dominica. - Efforts of foreign diplomacy now with one, now with the other - The deplorable results of continued wars between Haiti & Dominica, upon agriculture & commerce. Closer relations between Dominica & the U. S. would remove these evils.

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February 12<sup>th</sup> 1854. Transmits  
 printed copies of  
 Treaties, between Dominica, and  
 Denmark, Netherlands, France  
 & England. - The favorable  
 features of these treaties are  
 commented upon at length. -  
 The U. S. if in closer relations  
 would

would enjoy all their benefits & from their proximity would control a monopoly of supplies & carrying trade & could compete successfully with Europe. President Santana's views as to the true policy of Dominican Union of J. M. Cammiero to the U.S. to negotiate a Treaty & to seek recognition. His successor, Genl. Baez, sympathies are with Europe & opposed to the U.S. - More liberal views now entertained since the reelection of Santana, and the present a good opportunity to establish relations with Dominican Union of Genl. Mella to Spain - policy of the Administration favorable to the U.S. - but it would prefer the protectorate of Spain to subjection to Hayti. -

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July 24. 1854. Mr. Casenave's arrival at Santo Domingo & the presentation of his credentials. I agreed dread of the real intentions of the U.S. entertained by the masses - Europeans active in their intrigues against the U.S.

(Continued)

571

July 24, 1854: (Continued)

Reconnaissance of Samana Bay by Capt M<sup>c</sup> Clellan of the Engineers, departure of U.S.S. "Columbia" - Capt. M<sup>c</sup> Clellan bound to Samana - Genl. Mella, late Minister to Spain visits Spanish authorities at Porto Rico - after departure of "Columbia".

August 8, 1854.

Return of the President to the Capital: Appointment of plenipotentiaries to negotiate with Mr. Carenean. Capt. M<sup>c</sup> Clellan's report upon Samana Bay: "Carenero Chico", the proper place for a Coal Depot. - Will endeavor to obtain the concessions desired by his instructions. This survey of Samana Bay, has had the effect of causing the belief that the U.S. intended to take the country and that the President was conspiring to betray the colored population into slavery. His hopes of success notwithstanding. The recognition of Dominica by the U.S. of less importance since France & England have determined Hayti to keep the peace towards Dominica.

August 19. 1854.

Active & secret opposition  
of the French & English Courts to the good  
understanding to be entered into between  
the U. S. & Dominica. Formal  
Protest on the part of the English Govt.  
to the stipulations for a coal Depot  
& misrepresentations of the objects of the  
U. S. & with a view to defeat the  
pending negotiations with Dominica.  
The European party fear a recognition  
by the U. S. & its influence, & hence  
desire to reunite Hayti & Dominica.  
He yet hopes to conclude a favorable  
Treaty within a month.

September, 23. 1854. Reports that he

is about concluding  
a Treaty of Friendship, Commerce  
& Extradition with Dominica. —  
All the points in the project sent him  
have been satisfactorily agreed upon,  
besides the right to acquire & hold  
real Estate of every description.  
Mail-steamers to have free access  
to all the ports of the Republic &c.

Continued.

Sept. 23. 1854. (continued) —

Failure to obtain the  
grant of Samuina as a Coal Depot.  
The govt. compelled to recede owing to  
European interference & active & direct  
interposition of the British govt.  
Adjournment of Congress — Its probable  
extra session for purpose of ratifying  
Treaty with U.S. — which Mr. C. will  
himself bring to the U.S. —

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October 9. 1854. Signing of a  
Convention of Friendship,  
Commerce & Extradition with Dominican  
Oct 5. 1854. — Extra session of  
Congress, Nov 1<sup>st</sup> — for its ratification,  
after which he comes to Washington.

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November 23. 1854. The Senate  
of Dominican, fails to ratify  
the Treaty with the U.S. —  
this is owing to the threats of England  
France & Hayti; thro' their  
representatives. Protests by Mr.  
Caseneau against such interference.

(over)

Decr 6<sup>th</sup> 1854. The Treaty is submitted  
to Congress - after having been  
altered by the representative of France &  
Hayti - and opposed by the English Consul.  
Under these circumstances Mr. Barneau  
withdraws said Treaty from the farther  
consideration and control of the Dominican  
Executive, and refers the matter to the  
Govt. of the United States.

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December 23<sup>rd</sup> 1854. Transmits several  
letters from the principal  
personages of Dominica, as proofs of his  
allegations of the direct interference of  
the French & English Consuls in opposing  
the Treaty with the United States. The  
ratification of the Treaty with the amendments  
inserted by Mr. Hay and the French Consul,  
is null & void - the Congress which ratified  
it not being legally constituted for said  
purpose. These proofs must be kept  
secret in as much as their publicity  
would endanger the lives of the  
prominent parties giving them.

December, 26<sup>th</sup> 1852.

Transmits copy of  
the ultimatum of the French & English  
Counsels to the Dominican Government.

The obvious intent of this document is to exclude  
the U. S. <sup>& its commerce</sup> from any share in the natural wealth  
and superior harbors of the Island & to retain  
it in its present forced dependence on European  
will & policy - to be relieved from this pressure  
it is necessary that Dominica should be assured  
that the U. S. will firmly protect its freedom  
& integrity. - Mr. Casneau is informed that  
important secret concessions have been  
made to France, & believes they relate to  
occupation of the Bay & Peninsula of  
Sarrau, by a French company. -  
Samana is said to possess all the advantages  
required for a Depot. -

June 9, 1855. - Announces the un-  
successful termination of his mission  
to Dominica, owing entirely to the dictatorial  
intervention of France & England, who will  
not permit her to enter into treaty relations  
with the U. S. unless upon the terms set  
forth by European policy. -  
The

The object of France, England & Hayti is to extinguish the Dominican Republic, & convert the whole Island into an African dependency & to check the advance of American principles & enterprise in the Antilles. — Seeing no end to the European interference, he determined to terminate his mission, & while thus control of the domestic & political affairs continues, Dominica is not competent to make treaties with other nations & carry them into effect.

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From Mr Casevean }  
 Second Mission }

June 14. 1854. His departure  
 from New York — for  
 Dominica — Difficulty in so doing  
 there being no vessels trading now in  
 consequence of the heavy discrimination  
 in favor of those nations who have treaties  
 with that govt. thus excluding American  
 traders. Takes passage in a British Brig  
 bound to Puerto Plata, on West side of the  
 Island

Island, 140. miles from Santo Domingo. Thence he travelled inland thro the valley of Larga, a rich and fertile plain, of which he gives a glowing account, touching also upon its agricultural productions. Gives also descriptions of the Bays of Samana & Manzanillo. — Want of roads from absence of science, capital & enterprise.

These could be supplied by the U. S. but the efforts & opposition of France, England & Hayti, effectually prevent the same. —

The resources of the Island compare favorably with those of any other land. Its formation is peculiarly adapted for its drainage & salubrity.

Its mines of gold, silver & copper are of great value, yielding under the Spanish rule more than one-million, per annum, of coined dollars. — These are not worked at present to any extent. — A French company has contracted for the exclusive use & control of all mines & public forests of Dominica, in consideration of an advance of one million of francs & 10% of the proceeds —

Rights of the Sovereign to the mines under the Spanish law. The French company is not likely to fulfill its contract. —

Its navigable rivers are the Yuma, Yague &  
 Ozama - and lead to excellent harbors -  
 While Hayti remains the stronger power, Dominica  
 can never expect tranquillity - It is always  
 exposed to invasion thro' the valley of Lavega,  
 which affords easy access to the Dominican territory.  
 Frequent forays on the part of the Emperor  
 Faustin has laid waste this fertile valley.  
 Heretofore the Dominicans have immediately  
 repulsed the Haytiens. - The Bay of  
 Mauriceville is well adapted for a coal  
 depot, being secure and central. - It might  
 be made a free port, if the consent of the  
 European govts could be had. - Suggestion  
 of Mr Cazneau to place the frontier between  
 Hayti & Dominica under the protection  
 of all the Maritime powers, invite im-  
 migration, & thus raise a neutral &  
 effectual barrier between the two. -  
 If made officially it is probable it would  
 be accepted. If it does not change its  
 policy it will very soon cease to  
 exist as an independent Republic.

July 2, 1859. ~ Refusal of the government  
 to indemnify the owners of the  
 scho. "Charles Hill," seized under the administration  
 of Baer in 1858, for whose acts it says it is not responsible.  
 The Senate being in session, he is assured that a resolution  
 for settling this claim will be offered & adopted.  
 The financial condition of the country is in a most  
 deplorable state owing to the issue of paper currency  
 by Genl. Baer & the total absence of specie.  
 France, England, & Spain, still continue their  
 support of Baer & his party, whose aim is  
 to place power in the hands of the negroes:  
 if successful the whites will be despoiled  
 of their property, citizenship & perhaps their  
 lives, and lead to the annexation of Dominica  
 to Hayti: which seems to be the secret aim  
 of France <sup>Spain</sup> & England. The redemption of  
 Paper Issues - & Protests of the Grand, English  
 & Spanish Councils, who are believed to have  
 been interested in the speculation, the vote  
 at which it was redeemed by the gov't not  
 meeting their views. Their protests returned  
 them as inadmissible both as to terms, style  
 and the principles involved: Upon which they  
 struck their flags & withdrew from the country.

The govt. is completely subjugated by its fear of a European coalition with Hayti. and feels the necessity of closer relations with the United States, but is afraid to act.

✓ The Executive has however resolved to open the port of Samana shortly.

The govt would be glad to have a treaty similar to those made by the U. States with other Spanish American Republics.

Description of the Bay of Samana - its size & safety & adaptability to a naval station & excellent ship timber. →

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July 30. 1854,

At present the claims of the "Charles Still," & of Mr. A. Read cannot be settled & paid: the Treasury bankrupt. Strong doubts are entertained of the possibility of maintaining the independence of the Republic & its nationality. All the European Consulates are still closed. — The beneficial effect of the presence of the Frigate "Atrevida" showing that the U. States are watchful: but as the Officers have no power to act in cases of emergency, this is a great detriment to the interests of citizens of the U. States abroad. —

October 17. 1854. Attempted revolt  
by Baez - to overthrow  
the govt. speedily crushed by President  
Santana. Sundry of the Leaders banished.  
The port of San Juan <sup>opened</sup> to American  
commerce, notwithstanding the  
European opposition. Description of  
the same. Expects to settle the  
"Charles Hill" claim - Sends new  
map of the Republic.

January 30. 1860. Settlement of  
the Charles Hill claim: -  
Great good will & confidence is  
shown towards the United States &  
if the Govt. take advantage of this  
favorable opportunity, the future of  
the Dominican Republic can be  
securely established. Mr. Barencan  
advises the speedy conclusion of  
a Treaty with Dominica. If this  
be not done, Dominica will sink  
into a negro province under the  
Haytian constitution. Secret Mission  
on the part of Hayti, looking to  
ultimate annexation of Dominica.  
formed by French & English.

March 4<sup>th</sup> - 1860. Disposition of the Spaniards  
to accede to the plan of  
a Protectorate over the Dominican  
Republic. These negotiations are in  
a forward state & the information  
reliable. General revolution expected  
in the industrial condition of the Island.  
The coolie-system to be extended to  
Dominica, Hayti, Porto Rico and  
Cuba, through the aid of France,  
England & Spain. - Importation  
of Coolies, & Indians from Yucatan  
& Honduras. - & the object to prevent  
annexation to the United States: this  
project finds favor with the Vice-President  
& the warm advocates of a European  
Protectorate. - Filibustering or "Emigrant  
Association" from Chesapeake Bay -

May 12<sup>th</sup> 1860. Decree of May 9<sup>th</sup> 1860.  
Places the vessels of all  
nations upon an equal footing. -  
✓ Samoa declared a Port of Entry &  
may be hereafter obtained as a Coal  
Depot & mail or naval station.  
The Read claim, paid - the "Chas. Still  
not yet paid. - Conspiracies  
of the Boez Party still going on. -

July 31<sup>st</sup> 1860. The project of a  
 Spanish Protectorate is  
 in active process of realization.  
 "There is no longer a doubt that  
 the Spanish & Dominican governments  
 have entered into an understanding  
 to garrison the Republic with 10,000  
 Spanish Subjects, & to place its standing  
 army under the "instructions" of Spanish  
 officials selected & forwarded for this  
 particular duty? - About 1500. persons  
 have already arrived, permanently  
 to settle & to whom lands have been  
 assigned: these immigrants remain  
 under the protection of the Spanish  
 flag. The whole movement is  
 conducted in a quiet & systematic  
 manner, showing pre-arrangement.  
 Emigration from the Canary Island  
 encouraged by Spain & Dominica.  
 Arrival of a Spanish war steamer  
 with 100. immigrants, free of charge,  
 composed of "the better class, engineers,  
 teachers & professional men, competent  
 to hold influential positions among  
 the Dominican People". Landing of  
 arms & munitions & military officers  
 selected to reorganise & instruct the army. -

Other Steamers with similar cargoes  
are soon expected to follow. —  
The ulterior object supposed to be  
the introduction of the Coolie System  
under the auspices of Spain, England  
& France, and <sup>as</sup> a check to the U. States.

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October, 13<sup>th</sup> 1860. The Protectorate of  
the Spanish Govt. over  
Dominica is now an admitted fact.  
An American Company settled upon the  
rocky isles of Stavelo, engaged in shipping  
guano therefrom. The government does  
not admit their right under the act of  
Congress of 1856 — and has ordered them to  
an agent sent there to haul down the  
U. S. Flag & abandon their works, established  
at considerable expense. Full explanation  
made to the Dominican Govt on this subject,  
& <sup>it</sup> manifested more amicable dispositions,  
but they were soon followed by counter  
indications from the Spanish officers  
deputed from Madrid to govern the Govt.  
of Dominica. — Visit of members of the Cabinet  
& of Spanish Officers to the President, in reference  
to the guano difficulty & other matters connected  
with the "Protectorate".

The govt not disposed to yield any thing or to bind itself to any action as regards the occupation of Attarela. Visit of the Secy of the Treasury to the Capt. Genl. of Cuba to negotiate a loan of half a million of dollars, promised in Cuba under the presumed guarantees of Spain. Three fourths of the Cabinet & Senate now favor & have become zealous partizans of the Spanish rule. The masses do not concern, but the Spanish party count upon strong military forces from Cuba to suppress any attempted revolution. Among all these complications there is imminent danger to American interests. →

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November, 17<sup>th</sup> 1860. The Dominican Government has decided to accept in full the policy dictated by its Spanish Protectors. Genl Santana invested with a temporary Dictatorship to carry out the scheme; the promise of half a million of dollars from, and the support of, Spain, have decided his course as well as that of the Senate. This

This new policy likely to be openly pro-  
-claimed to the world at an early day.

The Spanish officers make no secret of  
their opposition to the pretensions of the  
United States. A Dominican man  
schooner, sent to the Island of Altamira,  
& forcibly remove the Americans there  
engaged in taking out guano. - No  
redress as yet obtained for this wanton  
act - the Island claimed both by  
Dominican Hayti; but Dominica  
is thought to have the best title to the  
ownership. - The efforts of France  
to obtain a Treaty with Hayti &  
intends to coerce the latter into the  
same & this is believed to be a prelude  
to its annexation. -

January 11<sup>th</sup> 1861. - The Spanish -

Protectorate over Dominica  
is to be carried into immediate effect.  
No one there doubts it. Arms, munitions,  
have been distributed & a Spanish Regiment  
daily expected from Cadix. The Moros will  
visit, & Spain engages to supply the  
necessary force to occupy the Island.  
A fierce & sanguinary war of race will  
ensue & the whites will be sacrificed.

Special Agent Mr Mackie.  
Duplicate

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Ocoa - Dominican Republic  
January 23<sup>d</sup> 1854

Sir,

In compliance with your instructions I have the honor to lay before the Department of State the result of my inquiries into the condition and prospects of the Dominican Republic.

The meeting of the Congress for the revision of the Constitution has called together the leading men from the various sections of this Republic. This circumstance not only aids our insight into the probable policy of Dominica, but opens to the United States a favorable crisis for giving it a more American direction and making the young republic, in fact as well as name, an independent American power.

To Hon. D. L. Marcy  
Secretary of State

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The actual situation of Dominica is peculiar and embarrassing.

With a limited population of less than three hundred thousand souls it is compelled to draw heavily on its industrial forces to be in readiness to defend itself against <sup>the</sup> attacks of its invincible neighbor Hayti, who has nearly triple its numerical strength.

None of the American powers have given this sister republic the just and politic support of a friendly recognition, which leaves it dependent upon the good-will of France and England for even the temporary relief of the existing truce with Hayti. Ignored by America while it is recognized and as the Dominican people are constantly and ostentatiously informed - protected by Europe, Dominica has had no choice but to submit to the requirements of European policy - It is to be regretted that it has not suited this policy to suit as it could do at will - The terrible war of races which has scourged this Island for half a century and place the Dominican Republic on a solid basis of prosperity.

Aside from this harassing war with Hayti - Dominica possesses within itself

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encouraging elements of durability - It is a  
compact state, separated by the sea from  
entangling neighbors on every side - but  
that of Hayti - about equal in extent  
to Denmark - and considerably larger  
than either Switzerland, Holland, or  
Belgium - It is advantageously situated  
for commerce and is pre-eminently  
gifted with such productions - as  
must invite trade to her ports -  
Perhaps no other country in the world  
can exhibit within the same limits  
such a full and varied list of mineral  
and agricultural productions - It  
may be remarked that among these  
are coffee, cocoa, mahogany, dye-stuffs,  
and other articles that are not grown  
in the United States, though largely  
consumed there; and for which our  
flour, provisions, fabrics &c. are required  
in return.

Dominica revolted from the domi-  
nation of <sup>the</sup> Blacks of Hayti - and estab-  
lished her independence without the  
aid of any foreign power and after  
victoriously sustaining this unequal  
struggle for upwards of nine years,  
wholly upon her own domestic resources,  
she is entirely free from debt - She has

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also created a small Navy of seven vessels - and about fifty guns, for coast and mail service, besides maintaining the force necessary to preserve internal tranquillity - The people have borne cheerfully the burden of the revolution - and seem everywhere contented with and obedient to their existing institutions. They have evinced courage and constancy in their defence and have unbounded confidence in the patriotism and capacity of their leader in the war of independence, Genl. Pedro Santana, now for the second time their constitutional President.

The constitution of the Dominican Republic is liberal, democratic and representative, though central - It is moreover a practical reality - It is recognized, respected, and acted upon, as the supreme law, by the government - as well as the people - The Executive, Legislative - and Judicial powers are clearly defined - and freedom

of election is secured to the people and their representatives - I will transmit a copy of the revised constitution as soon as it shall be completed - This revision has now proceeded so far that I can say with confidence that the amended constitution will not be less liberal and democratic than the old one and I have reason to believe it will contain some new provisions likely to prove of great utility to American interests in the future.

Security of person and property and perfect freedom of conscience is guaranteed to all, whether citizen or stranger, both by the law and the practice of the Republic - There is a Protestant congregation at San Juan, two at Puerto Plata, and another at the City of Santo Domingo, and in each of them are persons who hold office under the government.

Foreigners are permitted to hold and transfer real estate but the laws regulating landed property seem crude and defective.

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I am assured however that these will receive some important and beneficial amendments during the extra session of the regular Congress which meets on the fifteenth of February.

Children born of Dominican parents in a foreign land, may at their option remain citizens of the country in which they were born or claim, and thereupon receive, full citizenship in Dominica. With the same liberality the children born of foreign residents in Dominica have the right to record themselves Dominican citizens or, if they desire to retain their nationality, they may register themselves under the flag of their parents.

There are two Societies in Santo Domingo - One religious, the other a benevolent mutual aid society of about seventy members - composed entirely of emigrants from the United States and their children. These emigrants were invited over and portions of land assigned them when Hayti governed the whole Island - Yet at the end of thirty years they are still strongly attached to their nationality - They call themselves Americans, teach their

children to speak English, and conduct 593  
their Church and Society in their lan-  
guage - There are five hundred persons  
of this class in the republic and they  
are generally esteemed as industrious,  
intelligent and orderly citizens -

The main reliance of Do-  
minica against the attacks of Hayti  
is in her regularly organized and  
drilled Militia. Once a week the  
whole available population is mustered  
for drill throughout the republic.  
From them are drafted in rotation a  
certain proportion for military duty.  
Eight thousand men are always in  
arms for immediate service without  
any perceptible burden on the revenue  
although a small allowance is  
made them for rations - There are  
about two thousand veteran troops  
in the regular army; and in the  
arsenals of Santo Domingo, and Puerto-  
Plata, there is a sufficient supply  
of arms, and ammunition for any  
emergency - Since the establishment  
of the republic in 1844, it has pur-  
chased in the United States its  
military <sup>supplies,</sup> including artillery and  
thirty thousand stand of arms -

It is creditable to those who manage her affairs that all this, with her Navy, were paid for out of her own resources without involving herself in debt or receiving aid from any foreign power.

The independence of this republic has been acknowledged by England, France, Denmark, and the Netherlands, and formal treaties have been entered into with all of them, the Netherlands being now in the course of ratification.

It is of interest to the United States to know that vessels belonging to nations recognizing and in treaty with Dominica, pay but half tonnage or fifty cents per ton - while the vessels of the United States, and all others not recognizing her, pay one dollar per ton.

When this republic first separated from Hayti she resumed the duty on the products of the United States but the Dominicans complain that all their efforts to obtain the friendship and sympathy of the great republic of the North were altogether fruitless.

In speaking of the diplomatic relations of this country, it becomes my duty to refer to some delicate and embarrassing points in the position of this republic as an independent American power, which I find it difficult to approach but which cannot be passed over in silence.

That portion of the island which was a French colony originally, and is now comprised in the Empire of Hayti, engaged to pay France a large sum to indemnify the colonists who were despoiled of their property and driven from the country by the blacks. Dominica does not admit that she is bound to pay any part of this debt as her portion of the island had no share in the wrong-doing or in the compensation. France thinks otherwise and the members of this government do not hesitate to express the opinion that but for the determination publicly approved by the United States not to permit foreign power to create new colonies on this side of the Ocean,

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France would take possession of so much of the territory of Dominica as would satisfy this demand.

The moral influence of this American position will be sufficient to protect Dominica from being reduced to a European colony, but while it is not recognized and treated as an American power by the United States it will not have the self-confidence to resist many severe exactions - In the absence of this recognition by the other American power and entirely surrounded as it is, by European colonies - which with the single exception of this island wholly occupy and enclose the Mexican and Caribbean seas - it must continue to feel something of the dependence of a European colony.

If Dominica could refer her disputes with more powerful nations to the arbitration of a neutral power, it would relieve her from many difficulties and have a salutary effect on her domestic as well as foreign relations - The successful establishment of her independence, proves that she is competent to maintain her government.

and sustain herself against Hayti  
if left free from undue foreign  
pressure

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Whether this dangerous con-  
flict of races is fomented by other  
parties, and how far it is made use  
of to excite prejudice against the  
people of the United States, will be  
made the subject of another com-  
-munication, but some points touch  
so forcibly on the future destiny  
of this republic that it would be  
wrong to pass <sup>them</sup> altogether without  
notice

Hayti is exclusively a nation of  
blacks. It will not grant citizenship  
to white labor, will it permit white  
settlers to take up its waste lands or  
develop its untouched mines. In Do-  
-minica on the contrary, the whites are  
essentially the governing class, though  
the constitution makes no distinction  
respecting race or color; and the  
public sentiment is <sup>now</sup> turning in favor  
of emigration. The whites begin to real-  
ize that it is the best means to in-  
crease their ratio of strength and  
capital, and enable them to force Hayti  
into peace. The Emperor of Hayti however

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will not easily consent to recede from his pretension to the sovereignty of the whole island and the right to hold the whites in a lower scale of subjugation than his colored subjects. Between these parties foreign diplomacy manages to obtain for itself the balance of power. If either state is refractory it has but to threaten to cast its weight into the opposite scale to ensure conditions which it would not venture to propose under other circumstances.

A settled peace would greatly increase the agricultural and commercial resources of the republic by returning to their regular occupations the seventh part of the working male population, which it is computed is now diverted from regular employment by military service. This scarcity of hands is much felt in the mahogany cuttings and must influence the price of <sup>wood</sup> ~~char~~ in our markets.

The ports nearest Hayti are now closed to commerce, to the serious inconvenience of our

vessels, particularly those engaged in the mahogany trade - In lieu of going directly to and from their places for loading, they are compelled to go to one of the open port, there take their <sup>permits</sup> and pilots and proceed to a distant point to load, and then return to their port of entry to clear for their final destination - These additional trips consume about as much time as would carry them to one of our Atlantic ports.

If closer relations should arise between the United States and this republic this difficulty could be immediately obviated - In such an event I am confident Dominica could be induced to declare the frontier ports neutral of war and open to the commerce of all nations on favored terms - the flag of each country protecting its own vessels - It would be premature to enter more fully into this subject at present but I hope to communicate to the Department some further particulars at an early day and also to forward

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some statistical details which  
I have not yet been able to col-  
lect and present in an authen-  
tic shape

I have the honor to be, Sir,  
Your very obedient Servant

William L. Gurnea

✓

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# Recd 10th March. Mr Markie ✓ 603

Ocoa-Dominican Republic  
January 23<sup>d</sup> 1854

Sir,

In compliance with your instigation I have the honor to lay before the Department the result of my inquiries into the condition and prospects of the Dominican Republic.

The meeting of Congress for the revision of the Constitution has called together the leading men from the various sections of this Republic. This circumstance not only aids our insight into the probable policy of Dominica but opens to the United States a favorable crisis for giving it a more American constitution and making the young republic, in fact as well as name, an independent American power.

Hon. W. L. Marcy.  
Secretary of State

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The actual situation of Dom-  
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With a limited population  
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on its industrial forces to be  
in a position to defend itself against  
the attacks of its irreconcilable  
neighbor Hayti who has nearly  
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the temporary relief of the ex-  
-isting truce with Hayti - Ignored  
by America, while it is recognized  
-and as the Dominican people  
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Dominica has had no choice  
but to submit to the requirements  
- of European policy - It is to be  
regretted that it has not suited  
this policy to end - as it could  
- do - as will - the terrible war of  
- races which has scourged this

Island for half a century and  
place this republic on a solid  
basis of prosperity

Aside from this harassing  
war with Hayti, Dominica pos-  
sesses within itself encouraging  
elements of durability. - It is a com-  
pact state, separated by the sea  
from entangling neighbors on  
every side but that of Hayti,  
-about equal in extent to  
Denmark, and considerably larger  
than either Switzerland, Holland,  
or Belgium. It is advantageously  
situated for commerce and is  
pre-eminently gifted with such  
productions as must invite  
trade to her ports - Perhaps no  
other country in the world can  
exhibit within itself such a full  
and varied list of mineral  
and agricultural productions  
It may be remarked that among  
these are coffee, cocoa, mahogany  
dye-stuffs and other articles  
that are not produced in the  
United States, though largely consumed  
there; and for which our flour, provisions,  
fabrics & are required in return.

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Dominica revolted from the domination of the Blacks of Hayti - and established her independence without the aid of any foreign power - and after victoriously sustaining this unequal struggle for upwards of nine years wholly upon her own domestic resources, she is still entirely free from debt. She has also created a small navy, of seven vessels and about fifty guns, for coast and mail service, besides maintaining the force necessary to preserve internal tranquillity - The people have borne cheerfully the burden of the revolution and seem every where contented with and obedient to, their existing institutions. They have evinced courage and constancy in their defence and have unbounded confidence in the patriotism and capacity of their leader in the war of independence, Genl Pedro Santana, now for the second time their constitutional President.

The constitution of <sup>the</sup> Dominion

Republic is liberal, democratic and representative, though central. It is moreover a practical reality; it is recognized, respected and acted upon as the supreme law by the government as well as the people. The executive, legislative and judicial powers are clearly defined and freedom of election is secured to the people and their representatives, I will transmit a copy of the revised constitution as soon as it shall be completed. This revision has now proceeded so far that I can say with confidence that the amended constitution will not be less liberal and democratic than the old one, and I have reason to believe it will contain some new provisions likely to prove of great utility to American interests in the future. Security of person and property and perfect freedom of conscience is guaranteed to all, whether citizen or stranger, both by the law and the practice of the republic. There is a protestant congregation at Samana, two at Puerto Plata.

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and another at the City of Santo Domingo, and in each of them are persons who hold office under the government

Foreigners are permitted to hold and transfer real estate but the laws regulating land and property seem crude and defective - I am assured however that these will receive some important and beneficial amendments during the extra session of the regular Congress which meets on the fifteenth of February

Children borne of Dominican parents in a foreign land may, at their option, remain citizens of the country in which they were borne or claim, and thereupon receive full citizenship in Dominica. With the same liberality the children borne of foreign residents in Dominica have the right to record themselves Dominican citizens or, if they desire to retain their nationality, they may register themselves under the flag of their parents

There are two societies in Santo Domingo - one religious, the

DIOS,

PATRIA

Y LIBERTAD



REPÚBLICA DOMINICANA.

**Pedro Santana,**

GENERAL EN JEFE DE LOS EJERCITOS, LIBERTADOR DE  
LA PATRIA Y PRESIDENTE DE LA REPUBLICA.

En uso de las facultades extraordinarias que le han sido conferidas por el Congreso Nacional en su Decreto de 2 de Agosto corriente; y

Atendiendo al estado en que por la generosa solicitud de los Gobiernos de la Inglaterra y la Francia, se haya actualmente la cuestion Dominico-Haitiana; y á sus laudables deseos de ver terminadas las hostilidades entre Santo Domingo y Haiti: Para evitar todo acto que pueda dársele el carácter de hostil ó agresivo:

Oido el Consejo de los Secretarios de Estado, ha venido en decretar y

DECRETA:

Art. 1º Se prohíbe á los habitantes de la República

Dominicana pasar las líneas militares actualmente ocupadas por las partes beligerantes, sin espreso mandato del Gobierno; y toda persona que las pase, ó que de inteligencia con el enemigo sustraiga, conduzca, reciba, compre, venda, permute, encubra ò oculte animales ó cualesquiera bienes ó efectos pertenecientes á los habitantes de la parte de Occidente, serán perseguidos, capturados y remitidos, por los Gefes de los Cantones y puestos militares, á la Capital de la República con los objetos en cuestion, ó sin ellos, segun el caso, para ser castigados conforme lo requiera la gravedad del hecho.

Art. 2º Los Gefes de las líneas, cantones y puestos militares quedan responsables personalmente de la ejecucion del presente Decreto; y los que de connivencia ó á sabiendas permitan ó toleren el pase, ó el merodeo ( vulgo las marotas ), ó no persigan con todo rigor á los merodistas ( maroteros ), serán castigados igualmente, segun lo requiera el caso.

Art. 3º Los Gefes de las líneas y cantones militares redoblarán su vigilancia sobre las marotas que haga el enemigo, para dar cuenta exacta al Gobierno; y se estarán en los demas actos á lo que les prescriban las instrucciones.

Art. 4º El presente Decreto estará en toda su fuerza y vigor mientras las circunstancias así lo exijan, y se suspenderá ó revocará cuando el Gobierno lo juzgue conveniente.

Dado en la Capital de Santo Domingo á los cinco dias del mes de Agosto del año de mil ochocientos cincuenta y cuatro y undécimo.

SANTANA.

Por el Presidente: El Ministro de  
Guerra, Marina y Obras públicas,

MANUEL DE R. MOTA.



Santo Domingo.—Imprenta Nacional.—Año 1854.

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other a Benevolent Mutual aid 613  
society of about seventy members -  
composed entirely of emigrants  
from the United States and their  
children - These emigrants were  
invited over and portions of land  
assigned them when Hayti governed  
the whole Island, yet at the end of thirty  
years they are still strongly attached  
to their Nationality - They call them-  
selves American, teach their chil-  
-dren to speak English, and con-  
-duct their Church and society  
in their language - There are five  
hundred persons of this class in  
the republic and they are generally  
estimated as industrious intelligent  
and orderly Citizens

The main reliance of Dominica  
against the attacks of Hayti is in  
her regularly organized and drilled  
Militia - Once a week the whole avai-  
-lable population is mustered for  
drill throughout the republic -  
From them are drafted in rotation  
a certain proportion for Military  
duty - Eight thousand men are  
always in arms for immediate  
service without any perceptible

614 burden on the revenue, although  
a small allowance is made them  
for rations. There are about two  
thousand Veteran troops, in the  
regular army - and in the arsenal  
of Santo Domingo and Puerto Plata  
there is a sufficient supply of  
arms and ammunition for any  
emergency.

Since the establishment of  
the republic in 1844, it has purcha-  
sed in the United States its military  
supplies, including artillery and  
and thirty thousand stand of  
arms. It is creditable to those who  
managed her affairs that all  
this, with her navy, were paid  
for out of her infant resources  
without involving herself in debt  
or receiving aid from any foreign  
power.

The independence of this republic  
has been acknowledged by England,  
France, Denmark and the Netherlands,  
and formal treaties have been enter-  
ed <sup>into</sup> with them all. That with the Netherlands,  
being in the course of ratification.

It is of interest to the United  
States to know that vessels belonging

to Nations recognizing and in treaty with Dominica pay but half tonnage - or fifty cents per ton - while the vessels of the United States and all others not recognizing her pay one dollar per ton.

When this republic first separated from Hayti she reduced the duties on the products of the United States but the Dominicans complain that all their efforts to obtain the friendship and sympathy of the great republic of the North were altogether fruitless.

In speaking of the Diplomatic relations of this country it becomes my duty to refer to some delicate and embarrassing points in the position of this republic as an independent American power which I find it difficult to approach, but which cannot be passed over in silence.

That portion of the island which was a French colony originally, and is now comprised in the Empire of Hayti, engaged to pay France a large sum to indemnify the colonists who were despoiled of their property and driven from the country by the

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blacks. Dominica does not admit that she is bound to pay any part of this debt as her portion of the island had no share in the wrong doing or in the compensation. France thinks otherwise and the members of this government do not hesitate to express the opinion that but for the determination publicly avowed by the United States not to permit foreign power to create new colonies on this side of the ocean France <sup>would take</sup> possession of so much of the territory of Dominica as would satisfy this demand.

The moral influence of this American position will be sufficient to protect Dominica from being reduced to a European colony but while it is not recognized and treated as an American power by the United States, it will not have the self-confidence to resist many severe exactions. In the absence of this recognition by the other American powers and entirely surrounded, as it is by European colonies - with the single exception of this Island wholly occupy and enclose the Mexican and Caribbean seas it must continue to feel something of the dependence of a

European colony

If Dominica could refer her  
disputes with more powerful nations  
to the arbitration of a neutral power  
it would relieve her from many dif-  
ficulties, and have a salutary effect  
on her domestic as well as foreign  
relations. The successful establishment  
of her independence proves that she  
is competent to maintain her govern-  
ment and sustain herself against  
Hayti if left free from undue foreign  
pressure.

Whether this dangerous conflict  
of races is fomented by other parties  
and how far it is made use of to  
excite prejudices against the people  
of the United States will be made the sub-  
ject of another communication  
but some points touch so forcibly  
on the future destiny of this republic  
that it would be wrong to pass them  
without notice.

Hayti is exclusively a nation  
of blacks. It will not grant citizenship  
to whites, nor will it permit white  
settlers to take up its waste lands  
or develop its untouched mines. In  
Dominica on the contrary the whites

618 are essentially the governing class - though the constitution makes no distinction respecting race or color - and public sentiment is now turning <sup>in</sup> favor of emigration. The whites begin to realize that it is the best means to increase their ratio of strength and capital and enable them to force Hayti into peace. The Emperor of Hayti however will not easily consent to recede from his pretensions to the sovereignty ~~of the~~ of the whole Island and the right to hold the whites in a lower scale of subjugation than his colored subjects. Between these parties foreign diplomacy manages to obtain for itself the balance of power. If either state is refractory it has but to threaten to cast its weight into the opposite scale to insure conditions which it would not venture to propose under other circumstances.

A settled peace would greatly increase the agricultural and commercial resources of the republic by returning to their regular occupations the seventh part of the male working population which it is

compulsed is now diverted from regular employment to military service - This scarcity of hands is much felt in the mahogany cuttings and must influence the price of that wood in our markets.

The ports nearest Haya are now closed to commerce, to the serious inconvenience of our vessels, particularly those engaged in the mahogany trade - In lieu of going directly to and from their places for loading they are compelled to go to one of the open ports there take their crews and pilots and proceed to a distant point to load, and then return to their port of entry to clear for their final destination. These additional trips consume about as much time as would carry them to one of our Atlantic ports.

If closer relations should arise between the United States and this republic this difficulty could be immediately obviated - In such an event I am confident Dominica could be induced to declare a

620 frontier port neutral of war and  
open to the commerce of all nations  
on favored terms - the flag of each  
country protecting its own vessels.  
It would be premature to enter more  
fully into this subject at present  
but I hope to communicate to the  
Department some farther particu-  
lars at an early day and also to  
forward some statistical details  
which I have not yet been able  
to collect and present in an  
authentic shape.

I have the honor to be  
your very obedient

William L. Gagne

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Recd 1. April.

W. Markie

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Santo Domingo Feb 12<sup>th</sup> 1852.

Sir

I have the honor of transmitting to your Department the within copies of the treaties entered into by the Dominican Republic with various foreign powers and I would most respectfully beg leave to call your attention to some clauses in them which perhaps may be found worthy of consideration.

You will observe that in Article 6<sup>th</sup> of the treaty with France the right of holding and inheriting real estate is mutually guaranteed by each party to the Citizen of the other nation - My attention was called to this clause as it presents a satisfactory precedent to Americans who desire to purchase the rich

Wm D. L. Marcy  
Secretary of State

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get exceedingly cheap lands of this republic. The law as it stands permits foreigners to acquire and transfer real estate without impairing their rights of nationality, but efforts are being made to have this provision more distinctly and permanently ingrafted in the revised constitution. This will greatly increase the productions and resources of Dominica by effectually opening this tropical garden to the enterprising industry of our Citizens.

Articles 18<sup>th</sup> and 19<sup>th</sup> of the same Treaty define on the most liberal American basis the rights of flag and provide against undue latitude of search on the high seas.

If this is a precedent from a European power it is not an unimportant item in case of a general European war which would make our vessels neutral carriers in those waters to an incalculable extent.

In Article 9<sup>th</sup> however of the Treaty with Great Britain this Government concedes, in certain cases the discretionary privilege of search to British cruisers, but in the same article the right to withdraw this privilege on a year's notice is expressly reserved by Dominica.

Perfect religious freedom is already enjoyed by all persons in the Dominican Republic but it is also guaranteed by treaty, and placed beyond the caprice of government, to the citizens of any power that chooses to require this additional pledge.

In my letter of January 23<sup>d</sup> I had the honor of calling the attention of the Department to the ~~unpr.~~ additional tonnage duty charged on vessels belonging to nations which have not recognized this republic. For example one of our vessels of 500 tons can make about six voyages from a United States port to Dominica in a year paying one dollar per ton each trip, in all three thousand dollars, while under a recognizing flag she would only pay the same as a Dominican vessel, or fifty cents per ton, making a difference of fifteen hundred dollars in her duties for the year, and the European vessel of the same value and burthen, could make but three trips out and back in the year paying only seven hundred and fifty dollars to the Dominican revenue.

If closer relations were established, and this class of distinctions removed from our vessels trading to this Republic, the

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United States from their proximity  
to this Island should control the chief  
supply of its markets - and have nearly  
the monopoly of its carrying trade  
At present American fabrics are rarely  
used or understood in this country -  
Europe supplies almost the entire consump-  
tion although we manufacture the  
goods best adapted to their wants and  
can compete with Europe in prices  
Even much of the lumber, flour, salted  
and other provisions, which can  
only be supplied by the United States  
come here by the way of the free port  
of St. Thomas and in European vessels

I think it proper here to allude  
to the deep feeling constantly expressed  
by members of this government with  
regard to the amity of the United States

President Santana is aware that  
from its geographical situation and  
the character of its institutions the  
course or policy of this constitutional  
republic is to take position as an Amer-  
-ican power and soon after his first  
election to office he dispatched Don  
Jose Maria Caminero who did not succeed

in his mission however to obtain recognition and arrange a treaty with the United States.

The successors of President Santana in office were men who had no sympathies with our people and were more disposed to fraternize with Hayti, or ally themselves with Europe, than to enter earnestly into a system of independent American policy. President Baz did not conceal his repugnance to the introductions of American settlers nor his predilections for Europe, where he received his Education.

The reelection of Genl. Pedro Santana, and the return to power of some of the ablest men of the progressive party, have brought into action more liberal views and I cannot in justice avoid stating my convictions that the present is a most propitious time for establishing mutually advantageous relations between our own and the Dominican people.

Genl. Mella was dispatched a few months since on a secret mission to Spain, and the European party here affect to believe that it is to negotiate

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the return of this country to its old allegiance to Spain - under the suborned title of a protectorate. but the ruling policy of the present administration is to make the republic an independent American power and only in the extremity of a choice between subjection to Hayti or a dependence on Europe would it submit to the latter alternative

I have the honor Sir - to be  
Yours Most Respectfully

William L. Cazneau

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INDICE

Las fronteras.—Sesion del Congreso del 1.º de Abril.

NO OFICIAL.

Avisos.

AVISO.

La oficina de la Gaceta está en la calle del Hospital Militar, en la Imprenta Nacional. A dicha oficina se dirigirán los pliegos cerrados y rotulados "á los Editores de la Gaceta." Todo pliego se dirigirá franco de porte. Este periódico se cangeará con todo periódico nacional ó extranjero.



**GACETA DE GOBIERNO.**

*Salus populi suprema lex esto.*

ECONOMIA DE LA GACETA.

Saldrán 12 números por trimestre.

En moneda nacional.

Cada trimestre anticipado. . . . . 26 ps.

Un número suelto. . . . . 3 ps.

En moneda fuerte.

La suscripcion por trimestre. . . . . 62 cts.

Un número suelto. . . . . 6 cts.

Los avisos que no excedan de 6 líneas 50 cts.

A los suscriptores se cobrará la mitad.

Avisos de mayor extension, según convenio.

Los avisos se dirigirán con su importe á la oficina de la Gaceta.

Agencias.—En el Seibo, Sr. Rafael Perez; en Higüey Sr. Silvano Sofé; en Báni, Sr. Márcos Cabral; en Azua, Sr. J. E. Batista; en el Cotuy, Sr. Salvador Monclus; en la Vega, Sr. Ildefonso Mella; en Moca, Sr. Basilio Fondeur; en Macoris, Sr. Pascual Lucas; en Santiago, Sr. Pedro Curiel; en Puerto Plata, Sr. Juan Curiel; en San Tomas, Sr. E. Panet; en Curazao, Sr. Jacobo De Sola; en Caracas, Sr. A. D. Madrigal; en Maracaibo, Sr. Luis Montel. Repartidor y cobrador de la Ciudad, Sr. Anuncio Buenrostro.

Trimestre 4.º  
año noveno de la patria.

Santo Domingo 11 de Abril de 1852.

Número 44.  
Domingo.

LAS FRONTERAS.

Segun los últimos partes no habia novedad.

DIOS PATRIA Y LIBERTAD.

REPUBLICA DOMINICANA.

CONGRESO NACIONAL.

SESION DEL DIA 1.º DE ABRIL DE 1852.

Presidencia del General Ricardo Miura.

Presente la mayoria, compuesta de los Sres. R. Miura, F. Perdomo, J. B. Lovelace, F. Morilla, M. Marcano, D. Ortiz, A. Fondeur, G. Hernandez, F. Mercenario, F. Sardá y Carbonell, F. M. Delmonte, Mateo Perdomo, M. Padilla F. Sosa y Antonio Ramirez, se declaró abierta la sesion.

Leida el acta de la anterior fué sancionada.

El Presidente dió lectura de un oficio del Sr. Presidente de la República por el cual devolvía este la Ley sobre Tribunales de Consulado, sancionada por el Consejo Conservador con algunas observaciones, y habiendo decidido el Congreso dar prioridad al orden del dia, se aplazó la discusion de las observaciones y se dió principio por la primera materia, que era la última lectura del Tratado con S. M. el Rey de Dinamarca.

En consecuencia, leido y discutido quedó sancionado en la forma siguiente:

Su Magestad el Rey de Dinamarca, y el Presidente de la República Dominicana, animados del deseo de facilitar y extender las relaciones comerciales, establecidas de algun tiempo acá, entre ambos dominios, han resuelto celebrar un tratado de amistad, comercio y navegacion, basado sobre el principio de la mas perfecta reciprocidad.

Con este objeto nombraron sus respectivos plenipotenciarios á saber:

Su Magestad el Rey de Dinamarca al Sr. Hans Ditmar Frederick Yeddersen, caballero de la orden del Danebrog, y Gobernador de sus Colonias Occidentales.

Cargado del Poder Ejecutivo, al Sr. Segismundo R. . . . .

Art. 3.º Los buques Dinamarqueses en los puertos habilitados de la República Dominicana, y todas las mercancías y objetos de comercio que se importen ó exporten en dichos buques, en ningun caso podrán sujetarse ni á la entrada, ni á la salida de los puertos, á otros ni mayores derechos de tonelada y de aduana, ni á otras cargas, tasas ó impuestos, que á aquellos á que esten ó estuvieren sujetos los buques nacionales, y las mercancías y objetos de comercio importados ó exportados á bordo de los mismos buques nacionales.

De la misma suerte los buques Dominicanos en los puertos de Dinamarca, y todas las mercancías y objetos de comercio que se importen ó exporten por buques Dominicanos, no estarán sujetos en ningun caso, ni á la entrada ni á la salida de los puertos á otros ni mayores derechos de toneladas y de aduana, ni á otras cargas, tasas ó impuestos, que á aquellos á que esten ó estuvieren sujetos los buques Daneses y las mercancías y objetos de comercio importados ó exportados en buques Dinamarqueses.

Los buques Dominicanos serán admitidos en las Colonias de S. M. el Rey de Dinamarca, comprendiendo en ellas, las Islas de Taroé, Islandia y Groenlandia, bajo las mismas condiciones con que se admiten en la actualidad ó se admitieren en lo sucesivo, á los buques mercantes de la Nacion mas favorecida.

Art. 4.º El cabotaje no podrá por lo tanto hacerse en los respectivos Estados contratantes por las embarcaciones del otro, sino interin lo permitieren las leyes de cada Estado; pero queda establecido que los habitantes de una y otra parte, disfrutarán de todos los derechos acordados ó que se acordaren, en esta materia, á la Nacion mas favorecida.

Art. 5.º La importacion en buques de una nacion cualquiera, de todos los productos territoriales ó de la industria, así como la de todas las mercaderías y objetos de comercio, sea cual fuere su nomenclatura, reconocidos como procedentes de dominios Daneses, y la de los de otra procedencia conducidos por buques de Dinamarca, no podrá prohibirse por la República Dominicana ni sujetarse á otros ni mayores derechos.

Los mismos productos, mercancías y objetos de comercio procedentes de un país cualquiera, . . . . .

ten los salarios de servicios hechos por particulares), con tal de que estos buques no efectuen ninguna operacion de comercio, sea cargando ó descargando mercancías.

Tambien les será lícito depositar en tierra sus mercancías para componer sus cargamentos, sin pagar por esto derechos, siempre que se reexporten los efectos por cuenta del mismo propietario, en el mismo buque, ó en caso de condenacion, en cualquiera otra embarcacion.

Art. 7.º Estando ambas naciones convenidas en tratarse como á las mas favorecidas, se comprometen formalmente en todo lo concerniente al comercio y navegacion, á hacer instantáneamente extensivas las franquicias, privilegios é inmunidades sean de la clase que fueren, y que se concedan ó concedieren en lo sucesivo á otra nacion, á los súbditos ó ciudadanos Daneses ó Dominicanos en sus casos, gratuitamente si la concesion en favor del otro pueblo fuere gratuita, ó en virtud de una compensacion, posible y proporcional, si si la concesion fuere á titulo oneroso, (condicional.)

Art. 8.º En el paso del Sund y del Belts los buques Dominicanos y sus cargamentos serán tratados y pagarán los mismos derechos que las Naciones mas favorecidas.

Art. 9.º Cada una de las partes contratantes tendrá derecho de nombrar Cónsules que protejan el Comercio en los puertos y ciudades del Dominio de la otra; pero estos Cónsules no podrán entrar en el ejercicio de sus funciones, antes de obtener el exequatur del Gobierno del país en que han de residir.

Los agentes diplomáticos y los Cónsules respectivos gozarán de los mismos derechos, privilegios, inmunidades y exenciones que esten acordadas ó se acordaren á los Agentes diplomáticos ó Cónsules de igual rango de la Nacion mas favorecida.

Art. 10. Los buques de guerra de cada una de las dos potencias podrán entrar, demorar y carenarse en aquellos puertos de la otra, en que fuer permitido el acceso á los de la Nacion mas favorecida, y estarán sometidos á las mismas reglas, gozando de los mismos honores, ventajas, privilegios y exenciones.

Art. 11. Los súbditos de Su Magestad Danesa . . . . .

dar prioridad al orden del día, se aplazo la discusión de las observaciones y se dió principio por la primera materia, que era la última lectura del Tratado con S. M. el Rey de Dinamarca.

En consecuencia, leído y discutido quedó sancionado en la forma siguiente:

Su Magestad el Rey de Dinamarca, y el Presidente de la República Dominicana, animados del deseo de facilitar y extender las relaciones comerciales, establecidas de algun tiempo acá, entre ambos dominios, han resuelto celebrar un tratado de amistad, comercio y navegacion, basado sobre el principio de la mas perfecta reciprocidad.

Con este objeto nombraron sus respectivos plenipotenciarios á saber:

Su Magestad el Rey de Dinamarca al Sr. Hans Ditmar Frederick Yeddersen, caballero de la orden del Danebrog, y Gobernador de sus Colonias, y el Presidente de la República Dominicana al Sr. Segismundo Rothschild, plenipotenciario especial para este efecto. Y despues de haberse comunicado sus amplios poderes, y de haberlos hallado en buena y debida forma, convinieron en los artículos siguientes.

Art. 1.º Habrá paz y amistad perpetua entre S. M. el Rey de Dinamarca, sus herederos y sucesores, y la República Dominicana; y entre todos los súbditos y ciudadanos de ambos estados.

Art. 2.º Los súbditos de S. M. el rey de Dinamarca, gozarán en todos los puertos y provincias de la República Dominicana, y los ciudadanos de esta República en los puertos y provincias de Dinamarca, de los mismos derechos y privilegios acordados, ó que en lo sucesivo se acordaren á los súbditos ó ciudadanos de la nacion mas favorecida.

Los súbditos de S. M. Danesa podrán recidir y comerciar en toda la extension del territorio de la República, en que estén admitidas hoy ó se admitieren en adelante á los súbditos ó ciudadanos de la mas favorecida nacion estrangera, y gozarán de la mas completa proteccion, en favor de sus personas y propiedades.

Del mismo modo los Ciudadanos de la República Dominicana, podrán residir y comerciar en el territorio de Dinamarca, en toda la extension en que recibieren á los extrangeros, súbditos ó Ciudadanos de la Nacion mas favorecida, gozando tambien en sus personas y propiedades de la mas completa proteccion.

que se admiten en la Nacion mas favorecida.

Art. 4.º El cabotaje no podrá por lo tanto hacerse en los respectivos Estados contratantes por las embarcaciones del otro, sino interin lo permitieren las leyes de cada Estado; pero queda establecido que los habitantes de una y otra parte, disfrutarán de todos los derechos acordados ó que se acordaren, en esta materia, á la Nacion mas favorecida.

Art. 5.º La importacion en buques de una nacion cualquiera, de todos los productos territoriales ó de la industria, así como la de todas las mercaderias y objetos de comercio, sea cual fuere su nomenclatura, reconocidos como procedentes de dominios Daneses, y la de los de otra procedencia conducidos por buques de Dinamarca, no podrá prohibirse por la República Dominicana ni sugetarse á otros ni mayores derechos que los mismos productos, mercancías y objetos de comercio, procedentes de un pais cualquiera, e importados por buques Dominicanos, ó por los de la Nacion mas favorecida.

En cuanto á la exportacion de todos los productos de la República Dominicana, los súbditos y buques Daneses gozarán de los mismos derechos y privilegios que estén ó estuvieren acordados á los súbditos y embarcaciones de cualquiera otra Nacion favorecida.

Art. 6.º La República Dominicana se compromete á acordar á los buques Daneses, á sus oficiales y tripulacion, la proteccion de que puedan necesitar. En los casos de varadura de algun buque Danes, en las Costas de la República, las autoridades locales estarán obligadas á darle los socorros posibles, sea para salvar la tripulacion y la carga, sea para recoger los destrozos. Por lo demas, en cuanto á los derechos y gastos de salvamento, y de la salvacion del buque y de su cargamento, será tratado el barco varado en el territorio, como lo sería otro nacional en circunstancias iguales.

Cuando por circunstancias de arribada forzosa ó de averia comprobada, ó con el objeto de conservar el cargamento de los buques, una de las partes contratantes entraren en los puertos de la otra, no estarán sugetos á ningun derecho de Aduana ni de Navegacion, cualquiera que fuere su denominacion, (salvo los derechos de puerto, de los que sólo, en caso de averia serán escusados, y los derechos de pilotage ú otros que represen-

jan el Comercio en los puertos y ciudades del Dominio de la otra; pero estos Cónsules no podrán entrar en el ejercicio de sus funciones, antes de obtener el exequatur del Gobierno del pais en que han de residir.

Los agentes diplomáticos y los Cónsules respectivos gozarán de los mismos derechos, privilegios, inmunidades y exenciones que estén acordadas ó se acordaren á los Agentes diplomáticos ó Cónsules de igual rango de la Nacion mas favorecida.

Art. 10. Los buques de guerra de cada una de las dos potencias podrán entrar, demorar y carenarse en aquellos puertos de la otra, en que fuere permitido el acceso á los de la Nacion mas favorecida, y estarán sometidos á las mismas reglas, gozando de los mismos honores, ventajas, privilegios y exenciones.

Art. 11. Los súbditos de Su Magestad Danesa, no podrán ser turbados, perseguidos, ni molestados por causa de religion; antes al contrario, gozarán de la mas absoluta libertad de conciencia, y les será permitido ejercer su culto en sus casas ó capillas particulares. Tambien tendrán derecho de enterrar en cementerios, que podrán establecer y conservar, á los súbditos de S. M. Danesa, que murieren en el territorio de la República. Así mismo los Ciudadanos de la República Dominicana, gozarán en todas las posesiones Danesas, de la mas entera libertad de conciencia, y podrán ejercer sus cultos en sus casas particulares, ó en capillas, ó en otros lugares destinados al oficio Divino.

Art. 12. Los buques, cargamentos, mercancías, ó efectos pertenecientes á los súbditos ó ciudadanos de una de las dos partes contratantes, no podrán ser materia de embargo, ni retenerse para expediciones militares, ni para otro uso, cualquiera que sea, sin una indemnizacion previamente convenida con los interesados, y en proporcion bastante para resarcir los daños, pérdidas, retardos y perjuicios que ocasionare el servicio público á que sean destinados.

Art. 13. En caso de que uno de los dos paises estuviere en guerra con otra potencia, nacion, ó estado, los ciudadanos del otro, podrán continuar el comercio y navegacion con estos mismos estados, exepctuando únicamente los puertos y lugares bloqueados ó sitiados; pero esta libertad de comercio y navegacion no se extenderá á los efectos reputados como contrabando de guerra.

bocas y armas de fuego, armas blancas, proyectiles, pólvora, salitre, artículos de equipo militar, y demas instrumentos propios para la guerra.

Art. 14. Serán considerados como Daneses en los puertos de la República, y como Dominicanos en las posesiones Danesas, los buques que, *bona fide*, pertenezcan a los ciudadanos de los dos países, y naveguen bajo los pabellones respectivos, llevando a su bordo los papeles de navegación y documentos exigidos por las leyes de cada uno de los Estados, como comprobantes de la nacionalidad de los buques mercantes.

Art. 15. Para dejar a las dos partes en la situación de volver a tratar y arreglar ulteriores convenciones, que tengan en mira el acrecentamiento de sus relaciones comerciales, y la protección de sus recíprocos intereses, se estipula que el presente tratado esté en vigor durante diez años, contados desde el día del cange de las ratificaciones; y cada una de las partes se reservará el derecho de notificar a la otra, su intención de hacer cesar sus efectos, a la espiración de los diez años o mas tarde, en cuyo caso continuará el tratado siendo obligatorio para ambas partes, hasta transcurrido los doce meses posteriores a la notificación del intento arriba espresado.

Art. 16. El presente tratado será notificado, y las ratificaciones se cangearán en Santo Domingo en el término de doce meses o antes si fuere posible.

En fe de lo cual, los Plenipotenciarios respectivos lo firmaron y sellaron.

Hecho en Ste. Croix el 17 de Diciembre de mil ochocientos cincuenta y uno.—*F. Feddersen*. (L: S:).—*S. Rothschild*.—(L: S:).—*Ne varietur*, El oficial de Relaciones Exteriores.—*J. M. Calero*.

Nos Ministro de Guerra y Marina, encargado de la Cartera de Relaciones Exteriores, certificamos en debida forma que el Sr. José M. Calero es realmente Oficial de las Relaciones Exteriores, y que la firma antecedente es la misma que usa y acostumbra en ambos juicios.

Santo Domingo Marzo 15 de 1852 y 9.º —*J. E. Aybar*.

El Sr. Presidente en consecuencia de haberse sancionado el Tratado procedió a nombrar una comisión compuesta de los Sres. Felix Morilla, Felipe Perdomo, y Felix Delmonte para que redactaran el Decreto de sanción a dicho Tratado, y lo presentaran en la próxima sesión.

En seguida se continuó con la lectura de la Cartera del Interior y Policía que dice así:

*Sr. Presidente:* Cumpliendo con el deber que me impone la ley, tengo el honor de someter a V. el informe circunstanciado de las operaciones de los diversos ramos de la Secretaría de Estado del Interior y Policía y Relaciones Exteriores que me están confiados interinamente.

*Sección del Interior.*—Se observan varias irregularidades en todos los procesos verbales de las Asambleas Primarias, y en mi concepto consisten en que la ley Electoral carece de las aclaraciones que son de desear.

A las Diputaciones Provinciales, Ayuntamientos y Colegios Electorales, se le presentan grandes inconvenientes para el puntual cumplimiento de sus respectivas atribuciones, derivados de

Es de mi deber hacer presente: que en algunas comunas de la República no se han aun

D. Elias Rodriguez, y de Canónigo al Presbítero Domingo Antonio Solano.

La situación interior de la República, es tranquila e imponente.

En esta circunstancia, seame permitido llamar la atención de V. sobre las vías públicas, y estadística de la población, que aun no se ha podido obtener ningun resultado, no obstante los continuos esfuerzos de este Ministerio. Estas reclaman imperiosamente las mejoras que necesariamente producirán el desarrollo de la agricultura.

*Sección de policía.*—Este ramo carece desgraciadamente hasta ahora, a causa de la guerra, del impulso que exige su engrandecimiento; y creo que el Cuerpo Legislativo, persuadido como yo que es llegado el tiempo de fijar toda su atención sobre tan importante objeto, dictará las medidas que deban darle su mayor incremento.

El Ministerio se ocupa actualmente en la reorganización de las Guardias Cívicas, y espera las disposiciones del Congreso para principiar con las rurales; que son de absoluta necesidad para extinguir el osio y estimular el trabajo.

Las leyes y reglamentos de policía, no reciben su puntual cumplimiento, en razón del poco valor de las multas con que se castigan los contraventores: de consiguiente soy de opinión que se establezcan imposiciones en armonía con la infracción.

Ningun derecho se ha fijado a los pasaportes para el extranjero: tampoco se han adoptado medidas sobre la vacuna, para su conservación. Santo Domingo Enero 1.º de 1852 y 9.º —*Juan E. Aybar*.

*Extracto de las resoluciones y decretos del gobierno.*—El 23 de Marzo, en vista de una solicitud presentada por el Sr. J. Elliot, Agente Consular de los Estados Unidos de América, sobre reclamo de que siendo los dueños del cargamento del Bergantin Americano *Alhange*, naufragado en las costas de la provincia del Seybo, extranjeros y sin ninguna relación en el país se le permitiese vender los efectos, salvados en moneda fuerte, se acordó no haber lugar, dándose conocimiento de esta resolución a los Cónsules residentes en esta Capital, con el objeto de evitar el mismo caso.

En 24 del mismo mes, se acordó autorizar al Contador General para operar el cambio de 60.000 \$ fs., con el fin de mantener en Caja una suma en moneda fuerte con que hacer frente a la invasión con que se amenazaba el país por los haitianos.

El 27, teniendo a la vista la anterior resolución, y habiendo expuesto el Sr. Ministro de Hacienda y Comercio, que para efectuar dicha adquisición era indispensable hacer una nueva emisión de billetes de Caja. Se resolvió facultar al enunciado Ministro para que ordenase la emisión hasta cubrir la cantidad de moneda fuerte indicada.

El 15 de Mayo, se acordó en vista de la manifestación hecha por el Gobierno de Dinamarca, del deseo que le animaba de entrar en relaciones con el Gobierno de la República, bajo la salvaguardia de un tratado de amistad y comercio, nombrar como agente encargado de dicha misión al Sr. Segismundo Rothschild, de Santómas.

En el mismo día, deseando el Gobierno retirar de la circulación el papel moneda existente en la República y habiendo sido autorizado por

para contraer un empréstito de dos millones de pesos fuertes, se resolvió encargar al Sr. Segis-

vió que en todo caso, cualquiera que sea la resolución legislativa será comunicada por el Congreso al Presidente de la República, para que este pueda según la Constitución hacer las observaciones que juzgue convenientes.

El 5 de Junio se recibió en esta Capital otro haitiano dirigido por el Gefe de las fronteras del Sur nombrado Tousaint Fetiére, portador de pliegos dirigidos a las autoridades de la República y al Reverendísimo Sr. Arzobispo, conteniendo ejemplares de proclamas— y se ordenó hacer poner a dicho haitiano en seguro arresto, en los mismos términos que el que fué presentado el día 3 del corriente, en razón de que no tenía ningun carácter de enviado.

El 22 de Setiembre: en consideración a la exposición del Sr. Ministro de Guerra y Marina, sobre las imprevistas erogaciones que tendría que soportar el Erario, en razón a las amenazas de invasión del enemigo por las fronteras del Nord Este, en cuyas líneas ha sido indispensable reunir un gran número de tropas, se acordó autorizar al Ministro de Hacienda para la emisión de Billetes de Caja gradualmente, y en proporción de la exigencia, hasta la cantidad de un millon de pesos.

El mismo día se acordó, que los Ministros del Interior y Policía, Guerra y Marina, se pusiesen de acuerdo para tomar tantas y cuantas medidas fueren indispensables para evitar los robos y desórdenes nocturnos que se cometen en la población de esta ciudad.

El 20 de Noviembre: el Ministro de Relaciones Exteriores hizo presente estar pendiente la respuesta que debía darse a la nota colectiva de los Agentes de Inglaterra y Francia de fecha 23 de Octubre, acompañando copia de la del ministro haitiano de 16 del mismo, relativa a nueva tregua de doce meses, y se acordó que por el Ministro de Relaciones Exteriores se contestase a dichos agentes, que bajo aquel concepto la tregua propuesta no era aceptable, pero que si el objeto era para durante los doce meses entrar en negociaciones definitivas de Estado a Estado, el Presidente de la República, nombraría sus agentes al mismo tiempo que el gobierno haitiano para entrar en las negociaciones.

El mismo día: el Ministro de Hacienda a quien el Sr. Presidente de la República habia entregado para que lo examinara, el contrato hecho en Paris en 10 de Octubre del corriente año, entre el Sr. Rothschild por parte de la República Dominicana y el Sr. Herman Hendrick de Londres, lo devolvió en consejo de Ministros, y se resolvió no aceptarlo, el cual se tendrá como no hecho y de ningun valor.

El 28 del mismo: A consecuencia de la acta levantada en 10 de Octubre por las autoridades locales de esta capital y personas inteligentes, sobre el deterioro del Hospital militar.—Se acordó que inmediatamente se procediera a su reparación, debiendo el Ministro de Hacienda suministrar los fondos necesarios, haciéndolos figurar como gastos del ramo del Interior &c.

El 22 de Diciembre: se acordó asignar al instructor de música de esta capital la suma de \$ 200 mensuales.

El mismo día, en vista de los inconvenientes que se han presentado para llevar a debido efecto la organización de la Administración de Correos.—Se acordó: que los empleados, tanto de Correos, como de la Administración de sus grados o empleos y la remuneración a que

comision compuesta de Felipe Perdomo, y Felix Delmonte para que redactaran el Decreto de sancion a dicho Tratado, y lo presentaran en la próxima sesion.

En seguida se continuó con la lectura de la Cartera del Interior y Policía que dice así:

*Sr. Presidente:* Cumpliendo con el deber que me impone la ley, tengo el honor de someter á V. el informe circunstanciado de las operaciones de los diversos ramos de la Secretaría de Estado del Interior y Policía y Relaciones Exteriores que me están confiados interinamente.

*Seccion del Interior.*—Se observan varias irregularidades en todos los procesos verbales de las Asambleas Primarias, y en mi concepto consisten en que la ley Electoral carece de las aclaraciones que son de desear.

A las Diputaciones Provinciales, Ayuntamientos y Colegios Electorales, se le presentan grandes inconvenientes para el puntual cumplimiento de sus respectivas atribuciones, derivados de las mismas causas.

Es de mi deber hacer presente: que en algunas comunas de la República no se hayan aun demarcados sus respectivos límites, lo que produce á menudo controversias entre las autoridades con perjuicio del servicio público; por lo que sería conveniente se hiciese á la brevedad posible un arreglo definitivo en la demarcacion de jurisdicciones.

La cárcel pública, hospital militar, cuarteles y arsenales de esta capital, reclaman una pronta reparacion por hallarse en mal estado. En las demas provincias, en diferentes Comunes, se han mandado reedificar y construir las cárceles y edificios públicos que son de absoluta necesidad.

En este puerto, sobre las riveras del Ozama, previa la competente autorizacion, se han construido diferentes enramadas para depósito. Asi como en el Yuna una canoa destinada para el paso de este rio, las primeras por cuenta de particulares, la última para el servicio público y por cuenta del gobierno.

Los lazarinos reclusos en esta capital, por mi órgano reclaman su paternal consideracion para la pronta reparacion de su local.

Se han librado diez y seis despachos de oficiales superiores de la Guardia Cívica, uno de Subalternos y tres de Agrimensores. Tambien dos de Inspectores de agricultura, para las provincias de Santiago y Azua.

Conforme al decreto del Congreso Nacional de 2 de Junio de 1851, y en virtud de las presentaciones hechas por su Señoría Ilustrísima, se han librado nombramientos de Arcediano al Dr.

en moneda fuerte con que hacer frente á la invasion con que se amenazaba el pais por los haitianos.

El 27, teniendo á la vista la anterior resolucion, y habiendo expuesto el Sr. Ministro de Hacienda y Comercio, que para efectuar dicha adquisicion era indispensable hacer una nueva emision de billetes de Caja. Se resolvió facultar al enunciado Ministro para que ordenase la emision hasta cubrir la cantidad de moneda fuerte indicada.

El 15 de Mayo, se acordó en vista de la manifestacion hecha por el Gobierno de Dinamarca, del deseo que le animaba de entrar en relaciones con el Gobierno de la República, bajo la salvaguardia de un tratado de amistad y comercio, nombrar como agente encargado de dicha mision al Sr. Segismundo Rothschild, de Santomas.

En el mismo dia, deseando el Gobierno retirar de la circulacion el papel moneda existente en la República y habiendo sido autorizado por

para contraer un empréstito de dos millones de pesos fuertes, se resolvió encargar al Sr. Segismundo Rothschild, negociante de Santomas, para que conforme á las instrucciones que se le transmitieron contrajera dicho empréstito.

El 2 de Junio: en virtud de las facultades extraordinarias concedidas al Ejecutivo por el Congreso Nacional en su decreto de 28 de Mayo, se acordó dar un decreto aumentando el impuesto sobre las mercaderías extranjeras.

El mismo dia, se acordó establecer un periodico oficial cuya redaccion se encargó al Sr. Manuel Martin con la asignacion mensual de 25 \$ fuertes.

El 3 del mismo: habiendo dirigido bajo escolta el Gefe de las fronteras del Sur, á un oficial haitiano como parlamentario con un paquete de proclamas y cartas dirigidas á las autoridades de las Matas; y resultando por los documentos que presentó no poder clasificarse sino como prisionero de guerra, se acordó quedase como tal en seguro arresto é incomunicado á reserva de clasificarlo mas tarde conforme á la conducta que observara desde que franqueó nuestros límites.

El mismo dia, habiendo el Ministro de Hacienda sometido á la decision del Consejo de Secretarios de Estado dos resoluciones del Congreso, la una para hacer gracia al Sr. Francisco Sardá y Carbonell de los derechos de registro por la venta hecha de una casa de su propiedad, y la otra sobre el cambio de un solar del Estado, por otro del Sr. Roman Bidó en la Comun de Santiago, para hacer mas capaz la Iglesia. Se resol-

cho en París en 10 de Octubre del corriente año, entre el Sr. Rothschild por parte de la República Dominicana y el Sr. Herman Hendrick de Londres, lo devolvió en consejo de Ministros, y se resolvió no aceptarlo, el cual se tendrá como no hecho y de ningun valor.

El 28 del mismo: A consecuencia de la acta levantada en 10 de Octubre por las autoridades locales de esta capital y personas inteligentes, sobre el deterioro del Hospital militar.—Se acordó que inmediatamente se procediera á su reparacion, debiendo el Ministro de Hacienda suministrar los fondos necesarios, haciéndolos figurar como gastos del ramo del Interior &c.

El 22 de Diciembre: se acordó asignar al instructor de música de esta capital la suma de \$ 200 mensuales.

El mismo dia, en vista de los inconvenientes que se han presentado para llevar á debido efecto la organizacion de la Administracion de Correos.—Se acordó: que los empleados, tanto de correo, como de correo auxiliar, y de sus grados ó empleos, y la remuneracion á que se refiere el decreto de Correos.

En 23 del mismo mes, á consecuencia de una solicitud de su Sria. Ilustrísima, dirigida al Sr. Presidente de la República, se acordó: que se admitan al goce de la Congrua sustentacion señalada por el decreto del Congreso de 2 de Junio del corriente año, á los Sres. Fermin Bastida y Fernando Meriño, á contar del 16 de Noviembre, no obstante el requisito exigido por el mencionado decreto de que no hayan recibido orden *in sacris*.

Santo Domingo 1.º de Enero de 1852 y 9.º  
Juan E. Aybar. (Continuará.)

NO OFICIAL.

AVISOS.

J. Mateo Perdomo parte para Ultramar, y sus negocios comerciales quedan encargados al Sr. D. Miguel Lavastida. 4

Se vende, á precios equitativos, una partida de reses, cerdos y bestias de crianza, debiendo tratar el todo á la vista, y el pago efectuarse de contado, ó á plazos, segun convenio. Tambien se venderán unos terrenos, distantes dos leguas de esta ciudad, en el parage nombrado Arroyo-Hondo.—Aquellos que deseáren comprar una ú otra cosa, ocurran á la „Oficina del Eco” donde se les informará. 2.

Santo Domingo: Imprenta Nacional.

*Dominican Republic and Denmark*  
*Ratification of*  
**Gaceta de Gobierno.**

*Salus populi suprema lex esto.* 631

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Las Fronteras.—Decreto del Congreso Nacional.—Sesion extraordinaria del Id. del 29 de Enero.—Decreto del mismo.—Informe del Consejo Administrativo.—Suplemento a las Cuentas de Azua.—Rectificación.—Recapitulacion de Ingresos operados en los Correos.—Avisos.

**AVISO.**

La oficina de la Gaceta esta en la calle de las Damas, en la Imprenta Nacional.

A dicha oficina se dirijirán los pliegos cerrados y rotulados „a los Editores de la Gaceta.”

Todo pliego se dirijirá franco de porte.

Este periodico se cangeará con todo periodico nacional ó extranjero.

**ECONOMÍA DE LA GACETA.**

Saldrán 12 numeros por trimestre.

*En moneda nacional.*

Cada trimestre anticipado. . . . . 26 ps.

Un numero suelto. . . . . 3 ps.

*En moneda fuerte.*

La suscripcion por trimestre. . . . . 62 cts.

Un numero suelto. . . . . 6 cts.

Los avisos que no exedan de 6 lineas. 50 cts.

A los suscriptores se cobrará la mitad.

Avisos de mayor extension, segun convenio.

Los avisos y remitidos se dirijirán con su importe a la imprenta.

Trimestre 8.<sup>o</sup>  
año noveno de la patria.

Santo Domingo y Febrero 13 de 1853.

Número 88.  
Domingo.

**LAS FRONTERAS.**

Segun partes, estaban tranquilas.

DIOS,

PATRIA

Y LIBERTAD.

**REPUBLICA DOMINICANA.**

**CONGRESO NACIONAL.**

En virtud del Mensaje del Presidente de la República de fecha 25 del corriente, y de su Decreto de la misma fecha convocando, extraordinariamente el Congreso para el 26 del mismo mes, al efecto de conocer y resolver sobre las ligeras modificaciones hechas al Tratado con S. M. el Rey de Dinamarca.

Considerando 1.<sup>o</sup>: Que los motivos expresados en ambos documentos han sido apreciados en alto grado por el Congreso Nacional, que lo ha manifestado con unanimidad.

2.<sup>o</sup> Que del informe de la comision nombrada al efecto aparece el mismo concepto, que en nada quebrantan las rectificaciones hechas en los artículos 3, 4, 6, 12, 13 y 14, a los intereses de la Nacion.

**DECRETA.**

Artículo único. Quedan aprobadas las modificaciones hechas a los mencionados artículos del Tratado de Paz, Amistad y Comercio estipulado el 17 de Diciembre de 1851 entre la República y S. M. el Rey de Dinamarca, sancionado por el Congreso el 13 de Abril de 1852, cuyas modificaciones son del tenor siguiente.

Al artículo 3.<sup>o</sup> en su final se añade: „El

derecho de entrar en los Puertos Dinamarqueses que el presente artículo concede a los buques dominicanos, no comprende el privilegio de hacer el comercio entre Dinamarca y las Colonias Danesas.”

Al artículo 4.<sup>o</sup> se suprime la palabra *por lo tanto*. Al artículo 6.<sup>o</sup> se agregan, *ó de entrar en el invierno*.

El último párrafo del mismo se halla reemplazado del mismo modo. „Les será lícito depositar en tierra las mercancías que componen sus cargamentos sin pagar por esto derechos, siempre que se reesporten por cuenta del mismo propietario en el mismo buque. Pero en caso que este buque sea condenado, y que el cargamento sea reesportado por cuenta del mismo propietario en otro buque de algun puerto de Dinamarca, el cargamento estará sujeto a derechos de tránsito, siempre que tales derechos sean establecidos por tarifas; pero si este caso sucediese en algun puerto de las posesiones de S. M. el Rey de Dinamarca en las Indias Occidentales, el cargamento no estará sujeto a ningun derecho, y solamente pagará los derechos de navegación. Se observará la misma regla en el caso que un cargamento importado por un buque dinamarques en un puerto dominicano, sea reesportado por cuenta del mismo propietario en cualquiera otro buque por causa de condenacion del buque en el que fué importado el cargamento. Artículos 12, 13 y 14. Añadir antes de la palabra *ciudadanos*, *Súbditos* ó.

Por lo tanto, el Congreso Nacional, en nombre de la República Dominicana, presta su consentimiento y sancion definitiva al referido Tratado, con las modificaciones que anteceden, tal como ha sido consentido por los plenipotenciarios de las Naciones el 27 de Julio 1852, S. M. el Rey de Dinamarca.

31 de Octubre del mismo año, el que será enviado al Poder Ejecutivo para su promulgación en los términos Constitucionales.

Dado en la ciudad de Santo Domingo, capital de la República à los veinte y nueve dias del mes de Enero de 1853 y 9.º

El Presidente del Congreso.—*J. B. Lovelace*.—  
Los Secretarios.—*A. Aybar*.—*Felix Morilla*.—*F. Perdomo*.

Cúmplase, comuníquese y circúlese en todo el territorio de la República Dominicana.

Dado en el Palacio Nacional de Santo Domingo el 31 de Enero de 1853 año 9.º de la Patria.—El Presidente de la República

**BUENAVENTURA BAEZ.**

REFRENDADO :

El Ministro del Interior  
Policia y Relaciones Exteriores.

*P. E. Pelletier.*

DIOS, PATRIA Y LIBERTAD.

**REPUBLICA DOMINICANA.**

*Congreso Nacional.*

SESION EXTRAORDINARIA DEL 29 DE ENERO DE 1853.

*Presidencia del Honorable J. B. Lovelace.*

Siendo las diez de la mañana y hallándose presente la mayoría competente de los Estamentos que componen el Congreso Nacional, de los Honorables Sres. J. B. Lovelace Presidente, Damian Ortiz y Felix Morilla Conservadores. Felix Mercenario, Felipe Perdomo, Gaspar Hernandez, Andrés Aybar, Antonio Ramirez, Francisco Sardá, Carlos Baez y Pedro Valverde, declaró el Presidente abierta la sesion, previo el llamamiento de los Honorables por la lista nominal: se dió lectura de la acta de la sesion extraordinaria del 26, la que fué sancionada.

El Presidente dijo:—Honorables Señores.—El objeto de la sesion extraordinaria de este dia, segun mi circular fecha de ayer tarde, es consiguiente al negocio de las modificaciones del tratado con S. M. el Rey de Dinamarca, conforme al decreto de convocatoria del Poder Ejecutivo de fecha de 25 del corriente; y como quiera que la Comision nombrada al efecto me ha hecho saber que esta lista à producir su concepto al Congreso, volveré à leerlos el mensaje del Poder Ejecutivo y el Decreto en cuestion para orientar los debates antes de oir el dictamen de la Comision.

Acto continuo el Presidente le concedió la palabra à esta, y el Honorable Felix Morilla hizo la esposicion escrita siguiente,

Dios, Patria y Libertad.—República Dominicana.—La Comision del Congreso Nacional en

cargada de abrir dictamen sobre las adiciones hechas al final del artículo 3.º al 2.º párrafo y al último del artículo 6.º y las correcciones de los artículos 4, 12, 13 y 14, del Tratado celebrado entre la República Dominicana y S. M. el Rey de Dinamarca, sancionado por el Congreso Nacional con fecha 13 de Abril de 1852, y ratificado por S. M. Danesa, es de parecer que no encontrando en las adiciones à los artículos enunciados, cosa alguna que sea nociva ni compromete los intereses Nacionales, ni tampoco varia la sustancia de todo el Tratado; como así mismo no siendo sino accidentales las correcciones hechas à los otros artículos, que el Congreso Nacional apruebe dichas adiciones y correcciones.

Santo Domingo y Enero 28 de 1853 y 9.º (firmados) F. Morilla, G. Hernandez, F. Perdomo.—Hecha esta esposicion, el Presidente declaró al Congreso que se hallaban abiertos los debates, y que todos los Honorables Diputados tenian la palabra sobre ese importante negocio; que pensasen con madurez y criterio la cuestion, la apreciaran en su verdadero punto de conveniencia, para dar su verdadera y patriótica resolucion, pues la comision segun lo esperaba el Congreso, habia llenado su mision con lucidez y sin duda con el debido acierto. El Honorable Felix Morilla tomó entonces la palabra e hizo un análisis y resumen verbal de las razones que se hayan en el informe escrito. El Sr. Felipe Perdomo, mienbro tambien de la misma comision, espuso igualmente con lucidez los motivos acertados con que obró la comision en su informe, explicando al Congreso las causas de las rectificaciones al referido Tratado, las que en nada dañan ni contrarian su sustancia ni los intereses ni el honor Nacional.

El honorable Gaspar Hernandez habló en el mismo sentido.

El Honorable Pedro Valverde penetrado del verdadero concepto de las rectificaciones al presentar su aquiescencia, dijo: quisiera saber si se entiende que se deba proceder otra vez à la discusion de todo el tratado?

El Presidente tomó la palabra, esplanó su cintamente las teorías parlamentarias recibidas y adoptadas en casos idénticos, y sin esfuerzo quedó convencido el preopinante y demas miembros que no siendo alterado un tratado ó una ley, pueden sufrir algunos artículos ciertas rectificaciones que no sean nocivas sin que se proceda à formalidades como en el acto de su primera presentacion; máxime estando como en este caso aceptado por ambas naciones pues se hallaba ya aun revestido de la ratificación del Rey de Dinamarca, salvo las pequeñas rectificaciones.

El Sr. Valverde manifestó entonces que quedaba satisfecho, pues que queria cerciorarse del principio que un Congreso no estinga el acto de otra sesion en casos idénticos al presente.

El Sr. Morilla tomando la palabra, dijo: que era de sentir ya que el Congreso estaba tan

penetrado del asunto, que se procediese inmediatamente en la misma sesion á dar por concluido el negocio, tanto porque se habia ya procedido así en otra ocasion, cuanto porque además el tratado con Dinamarca habia pasado ya en otra sesion de 1852 por todos los trámites Constitucionales,

El honorable Sardá manifestó apreciar las observaciones del honorable preopinante Morilla, y manifestando otros miembros el mismo signo de asentimiento, juzgó el Presidente no haber lugar á mas debates sobre la materia.

En consecuencia, despues de haberse asegurado que nadie tomaba la palabra, con la afirmativa del Congreso, puso á votacion el dictamen de la Comision, ya apoyado por la mayoría, y el resultado fué ponerse de pié á unanimidad todos los miembros, siendo el signo afirmativo anunciado por el Presidente.

El Presidente anunció que el Congreso acababa de pronunciar á unanimidad, que las rectificaciones hechas al tratado con Dinamarca, sancionado en 13 de Abril 1852, quedaban aprobadas, y en consecuencia se puso un instante en receso para redactar el decreto correspondiente.

El cual, leído y aprobado, se mandó transcribir para ser despachado por el Presidente al Poder Ejecutivo segun el uso constitucional.

Estando agotado el objeto de la segunda sesion extraordinaria, el Presidente la declaró cerrada solemnemente, prorogando la sesion al 1.º de Febrero en adelante, segun el mandato Constitucional cuyo anuncio se le hizo al Presidente de la República.

Es copia conforme.—El secretario que certifica.—*Feliz Morilla.*

DIOS, PATRIA Y LIBERTAD.  
REPUBLICA DOMINICANA.

El Congreso Nacional.

ATENDIDA Y DECLARADA LA URGENCIA.

Considerando: que corriendo el presupuesto general de gastos públicos de 1.º de Enero al último de Diciembre, y no reuniéndose los Cuerpos Colegisladores de pleno derecho sinó en el corriente del mes de Febrero, época constitucional de sus sesiones legislativas.

Que para remediar cualesquiera perplejidad que pudiera ocurrir por parte de la Administracion, en el silencio de la Ley sobre un lapso de tiempo no previsto, y á reserva de votar los gastos del año, en vista de las cuentas, memorias &c. que deban servir de base para ese acto.

Considerando: que es de la mayor importan-

cia que, cuando la situacion lo permite, se paguen puntualmente todos los sueldos y asignaciones decretadas en favor del ejército de tierra y mar, y empleados civiles, militares y administrativos de todos los ramos,

HA VENIDO EN DECRETAR Y DECRETA:

Art. único: Queda prorogado el presupuesto de gastos públicos del año económico anterior, desde el 1.º de Enero del corriente año hasta la aparicion legal del nuevo presupuesto, con el aumento que previene la ley orgánica de sueldos de 24 de Abril 1852.

El Congreso Nacional, en nombre de la República, ejecútase el presente decreto, que será enviado al Poder Ejecutivo para su promulgacion en la forma constitucional.

Dado en la Ciudad de Santo Domingo, Capital de la República, á los 7 dias del mes de Febrero de 1853 y 9.º —El Presidente del Congreso, *J. B. Lovelace.*—Los Secretarios, *F. Morilla.*—*A. Aybar.*—*José Roman.*

Cúmplase, comuníquese y circule en todo el territorio de la República.

Santo Domingo y Febrero 8 de 1853 y 9.º  
El Presidente de la República.

BUENAVENTURA BAEZ.

REFRENDADO:

El Ministro de Hacienda y Comercio,

*Francisco Moreno.*

MINISTERIO DE HACIENDA Y COMERCIO.

El Consejo Administrativo ha concluido la verificacion y exámen de las Cuentas de la República, dando su informe como sigue: „El Consejo Administrativo de la República certifica la exactitud del presente Estado general de los Ingresos y Egresos operados en las diferentes Administraciones de la República durante el año económico comun del 1.º de Enero al 31 de Diciembre de 1852 (Salvo las observaciones hechas á la Contaduría General con otras que se elevarán al Congreso Nacional), cuyas cuentas considera finiquitadas presentando una existencia de Doscientos treinta y un mil setecientos seis pesos 80 cts. moneda fuerte y cuatro millones quince mil ciento cincuenta pesos 8 cts. moneda Nacional.

Santo Domingo y Febrero 4 de 1853 y &c.—(firmados) Domingo de la Rocha — Jasinto de Castro.—Martin Miura—Antonio Volta.

Santo Domingo y Febrero 4 de 1853 año 9.º  
Es copia conforme.—El Ministro de Hacienda y Comercio.  
*Francisco Moreno.*

## CON. GENERAL DE HACIENDA.

Suplemento á las cuentas de la provincia de Azua por el mes de Diciembre pasado.

## INGRESOS.

	M. fte.	M. nac.
	PESOS.	PS. CS.
<i>Productos e impuestos.</i>		
Papel sellado. . . . .	2260	86
Registros e hipotecas. . . . .	198	"
Retencion de monte-pio. . . . .	340	80
	2799	66
Recibido de la Contaduría General.	4000	"
Existencia el 30 de Noviembre.	1,, 91376	3
<b>Totales. . . . .</b>	<b>1,, 98535</b>	<b>69</b>

## EGRESOS.

<i>Interior y Policía.</i>		
Sueldos civiles. . . . .	800	"
<i>Justicia e Instruccion pública.</i>		
Sueldos judiciales. . . . .	585	"
<i>Hacienda y Comercio.</i>		
Sueldos administrativos. . . . .	360	"
<i>Guerra y Marina.</i>		
Sueldos al ejército. . . . .	48071	"
Raciones al mismo. . . . .	16049	"
Pensiones de monte-pio. . . . .	83	30
Gastos extraordinarios. . . . .	230	"
	66178	30
Existencia el 3 de Diciembre 1852.	1,, 32357	39
<b>Totales. . . . .</b>	<b>1,, 98535</b>	<b>69</b>

Yo el infraescrito Contador General, certifico, que resulta el 31 de Diciembre una existencia de treinta y dos mil trescientos cincuenta y siete pesos treinta y nueve centavos, moneda nacional y un peso moneda fuerte.—Santo Domingo Febrero 3 de 1853.—*Rodriguez.*

Visto e imprimase.—Santo Domingo Febrero 3 de 1853 y 9.º.—El Ministro de Hacienda y Comercio.—*Francisco Moreno.*

## RECTIFICACION.

Como se ve de los ingresos se compraron al Sr. Manuel Cestero 590 \$, y en los egresos, por equivocacion, pusimos 500 comprados á 734, la onza, cuando costaron solamente 730 \$ cada una. Aunque es fácil comprender de las mismas cuentas el error, puesto que el guarismo que espresa los pesos nacionales erogados con este motivo está exacto, queremos no obstante advertirlo. Debe pues leerse así: Por 590 \$ fuertes comprados al Sr. Manuel Cestero á 730 \$ la onza.

Tambien en la 1.ª columna de la 2.ª plana hubo equivocacion al referirse á la existencia de la Vega, que siendo de 39,504 \$ nacionales, como se evidencia en otros lugares de la misma cuenta, se pusieron 35,490.

*Los Editores.*

### Recapitulacion general de los Ingresos operados en las diferentes Administraciones de correos de la República del 1.º de Febrero al 31 de diciembre de 1852.

	primer trim.	segundo trim.	tercer trim.	cuarto trim.	Totales
Provincia de Santo Domingo.	4951	7087	7099	6641	25778
Id. de la Vega. . . . .	612	827	902	976	3317
Id. de Santiago. . . . .	1793	3530	4405	4801	14529
Id. de Azua. . . . .	755	1559	1684	940	4938
Id. del Seybo. . . . .	"	"	1229	841	2073
	8111	13003	15319	14202	50635

Certifico la presente Recapitulacion general cierta y verdadera, ascendiendo á la suma de cincuenta mil seiscientos treinta y cinco pesos nacionales que han sido ingresados en la Administracion Particular de Hacienda de la Capital lo pertenecientes á esta Provincia, y los de las demas Provincias se han dado libramientos al Sr. Contador General segun orden del Sr. Ministro de Hacienda, y si no figuran todas estas sumas en las cuentas generales impresas es por que los Administradores de Hacienda de las Provincias no se habian cargado de dichas sumas al enviar sus cuentas á la Contaduría General pero á esta fecha existen ya dichas sumas en poder de los Administradores de Hacienda segun los recibos que me han sido remitidos de ellos por los de correos.—Santo Domingo Febrero 8 de 1853.—El Administrador General de Correos.—*Manuel José Machado.*

NOTA: Se notará que la Provincia del Seybo no aparece mas que en el 3.º y 4.º Trimestre: la razon es por que esta línea no fué instalada hasta el 5 de Julio 2.º Se habla notado tambien que en las cuentas generales impresas aparecen como gastos extraordinarios del Correo una suma de \$ 2476. 16 centavos moneda fuerte y \$ 131, 142 75 etc. nacionales, la razon es por que han incluido en los gastos de Correo los de paquetes y en estos la mayor parte son en reparaciones á los buques que, como del Gobierno, debian repararse y mantenerse en buen estado segun órdenes especiales, cuyas cuentas han sido examinadas y ningun reparo se ha hecho segun oficio que me ha sido dirigido por el Sr. Contador General.

Advirtiendome tambien que en los Ingresos que figuran en los mismas cuentas no aparecen \$ 829 25 moneda fuerte Ingresados por dichos Paquetes en los meses de Octubre Noviembre y Diciembre cuya entrada se hizo despues de arregladas dichas cuentas, que unidas á la de \$ 2573 48 pesos fuertes que tengo ya ingresados en el Tesoro público hacen un total de \$ 3,402 73 pesos fuertes producido de los paquetes del 23 de Febrero al 31 de Diciembre de 1852.—*Machado.*—Visto Bueno. El Administrador Particular de Hacienda.—*José Joaquín Machado.*—Visto. El Contador General.—*Rodriguez.*—Visto. El Ministro de Hacienda.—*Francisco Moreno*

## AVISOS.

En la noche del doce de los corrientes, á eso de las nueve, se robaron de la puerta de la casa de la Señora Clemencia Jimenes una silla de mecer, toda de mimbre, aprovechando un momento en que dicha Señora entró á atender á un niño. Se dará una gratificacion al que descubriere el paradero de dicho mueble.

Santo Domingo.—Imprenta Nacional.

*Dominican Republic and the Netherlands*  
**TRATADO**  
*Treaty*

DE AMISTAD, COMERCIO Y NAVEGACION ENTRE LA REPUBLICA DOMINICANA Y S. M. EL REY DE LOS PAISES-BAJOS.

El Presidente de la República Dominicana, y S. M. el Rey de los Países-Bajos, deseando asegurar por medio de un tratado de Amistad, Comercio y Navegación, buena inteligencia entre los dos países, y sobre todo arreglar de un modo estable las relaciones comerciales de sus ciudadanos y súbditos respectivos, han nombrado para el efecto:

El Presidente de la República Dominicana.  
 al Sr. Manuel Joaquín Delmonte, Ministro Presidente de la Suprema Corte de Justicia;

Y. S. M. el Rey de los Países-Bajos,  
 al Sr. Isaac Johannes Rammelman Elsevier, Junior, Caballero, de la Orden del León de los Países-Bajos, de la Estrella de la Orden de la Corona de Roble, Caballero de la Orden de la Legión de Honor de Francia, Comendador de la Orden de Danebrog de Dinamarca, Gobernador de la Colonia de Curazao y sus dependencias.

Los cuales después de haber cangeado sus plenos poderes, y habiéndolos hallado en buena y debida forma, han convenido en los artículos siguientes:

Artículo 1.º Habrá amistad sincera y durable entre S. M. el Rey de los Países Bajos, sus herederos, sucesores y súbditos de una parte, y la República Dominicana y sus ciudadanos de la otra.

Art. 2.º Habrá libertad recíproca de Comercio entre el Reyno de los Países-Bajos en Europa, y los territorios de la República Dominicana. Los súbditos y ciudadanos respectivos podrán recíprocamente, y con toda libertad y seguridad, arribar con sus buques y cargamentos á todos aquellos puertos, plazas y ríos

del Reyno y territorios arriba mencionados en que es ó sea permitido arribar à otros extranjeros. Ellos podrán permanecer y residir en dichos puntos, alquilar y ocupar casas y almacenes para su comercio; y en general los negociantes y traficantes de las dos naciones gozarán recíprocamente en sus territorios de la mas entera proteccion y seguridad para su comercio, sin dejar empero de estar sometidos à las leyes y ordenanzas del pais.

Del mismo modo los buques de guerra y paquetes empleados en el servicio de Correos, por una y otra parte, podrán con toda libertad y seguridad arribar à los puertos, rios y lugares en que es ó sea permitido arribar à los buques de guerra ó paquetes de correos de otras naciones extranjeras: podrán entrar, fondear, permanecer y repararse en ellos, sin dejar, sin embargo, de estar sujetos à las leyes y ordenanzas locales.

Mientras la República Dominicana no tenga una ley especial que arregle el principio de admision y extrañamiento de extrangeros, el Gobierno de la República se reserva respecto de los súbditos del Rey de los Países-Bajos, el derecho que las leyes del reyno dan à S. M., de alejar del territorio à aquellos cuya permanencia se reputa perjudicial à la tranquilidad pública.

Por lo que concierne al ejercicio del cabotaje, los súbditos y ciudadanos de cada uno de àmbos Estados, se conformarán respectivamente à las leyes que rigen en la actualidad, ó que en lo sucesivo puedan regir esta materia en cada uno de àmbos Estados.

Art. 3.º La libertad de comercio y de navegacion queda igualmente acordada à los ciudadanos de la República Dominicana en la posesiones, colonias y establecimientos de Ultramar del Reyno de los Países-Bajos en la estension\* que esta libertad está acordada atualmente, ó en lo sucesivo se acordare à las

ótras naciones extranjeras.

Art. 4.º Entendiendo las dos altas partes contratantes comprometerse por los dos artículos anteriores à tratarse bajo el pié de la nacion mas favorecida, queda convenido entre ellas, que todo favor en materia de comercio y navegacion que una de las partes contratantes acuerda en la actualidad, ó pueda acordar en lo sucesivo à los súbditos ó ciudadanos de cualquier otro Estado, será extensivo à los súbditos ó ciudadanos de la otra parte gratuitamente si la concesion en favor de ese otro Estado fuere gratuita, ó dando una compensacion de valor y efecto equivalente, en cuanto sea posible, fijada de comun acuerdo, si la concesion fuere condicional.

Art. 5.º Los productos del suelo, ó de las fábricas del Reyno de los Países-Bajos y de sus colonias, à su importacion en el Estado Dominicano, no estarán sujetos à otros ó mas elevados derechos, que à aquellos á que están ó estén sometidos à su importacion los productos similares del suelo, ó de las fábricas de otras naciones extranjeras; y del mismo modo, los productos del suelo ó de las fábricas de la República Dominicana, à su importacion en los Países-Bajos, no estarán sujetos à otros ó mas elevados derechos que à aquellos á que están ó estén sometidos à su importacion los productos similares del suelo ó de las fábricas de otras naciones, y no se impondrán ningunos derechos ó cargas en el territorio de una de las partes contratantes, sobre la exportacion hácia los territorios de la otra, que aquellos à que está ó pueda estar sometida la exportacion de artículos similares hácia otros países: ni se impondrá prohibicion alguna sôbre la esportacion ó importacion de cualesquiera artículos de produccion natural ó industrial de los Países-Bajos ó de la República Dominicana, que no se estienda del mismo modo à todas las otras naciones.

Art. 6.º No se exigirán en los puertos y plazas de la República Dominicana sobre los buques de los Países-Bajos, ni en los puertos y plazas de los Países-Bajos sobre los buques Dominicanos, ningunos otros ó mas elevados derechos ó cargas de toneladas, de faros, de puerto, ó pilotaje, de salvamento en caso de avería, lo mismo que de naufragio, ó á título de cualquier otra imposición general ó local, que aquellos á que están sujetos los nacionales en las mismas circunstancias.

Art. 7.º Los frutos y mercancías, cualesquiera que sean su origen y la parte de donde vengan, importados en la República Dominicana por buques de los Países-Bajos, no pagarán mayores ú otros derechos que aquellos que pagarían si fueran importados por buques Dominicanos; y recíprocamente, los frutos y mercancías, cualesquiera que sean su origen y la parte de donde vengan, importados en los Países-Bajos por buques Dominicanos, no pagarán mayores ú otros derechos que aquellos que pagarían si fueran exportados por buques de los Países-Bajos. Del mismo modo los frutos y mercancías, cualesquiera que sean su origen y el lugar hácia donde se dirijan, cuando son exportados de los puertos Dominicanos por buques de los Países-Bajos, no pagarán mayores ú otros derechos que aquellos que pagarían si fuesen exportados por buques Dominicanos; y recíprocamente los frutos y mercancías, cualesquiera que sean su origen y el lugar hácia donde se dirijan, cuando son exportados de los puertos de los Países-Bajos por buques Dominicanos, no pagarán mayores ú otros derechos que aquellos que pagarían si fuesen exportados por buques de los Países-Bajos. Las primas, rebajas y otras ventajas y privilegios de este género que se acuerden en uno de los dos países á la importación ó exportación por buques nacionales, se acordarán igualmente á la importación ó exportación por buques de la otra nación.

Art. 8.º El mismo trato bajo el pié de los nacionales, queda acordado á los buques Dominicanos por el casco lo mismo que por el cargamento, en las colonias y posesiones de ultramar del Reino de los Países-Bajos; y los productos de las colonias y posesiones de ultramar de los Países-Bajos, lo mismo que todos los productos exóticos de otra procedencia, importados en la República Dominicana indirectamente de los puertos de los Países-Bajos en Europa, no estarán sujetos á otros ó mayores derechos que cuando son importados en ella directamente del lugar de su producción.

Art. 9.º Las altas partes contratantes podrán establecer cónsules ó agentes comerciales en los puntos y lugares, la una de la otra, en todas partes donde son ó sean admitidos los Cónsules ó Agentes comerciales de otras naciones: y los dichos Cónsules ó Agentes comerciales, despues de haber obtenido el *exequatur* de estilo para el ejercicio de sus funciones, gozarán en los países respectivos de los mismos derechos, prerrogativas é inmunidades que en ellos gozan los Cónsules ó Agentes comerciales de las naciones mas favorecidas.

Los dichos Cónsules ó Agentes comerciales, estarán autorizados bajo el mismo pié que los de las naciones mas favorecidas, para reclamar la asistencia de la autoridad competente para la pesquisa, arresto, detencion y entrega de los desertores de los buques de guerra ó de comercio de su nacion.

En caso de muerte de algun ciudadano ó súbdito de una de las partes contratantes, en los territorios de la otra, sin heredero presente, ni albacea, el Cónsul ó Agente comercial de la nacion á que haya pertenecido el difunto, podrá, en cuanto se lo permitan las leyes del país, injerirse por sí mismo, ó por medio de representante, para nombrar curadores, ó tomar bajo su custodia la sucesion en el interés de los here-

deros y acreedores.

Podrán tambien en caso de naufragio en la estension de su resorte, hacer valer los derechos de sus nacionales interesados, conforme à las leyes del pais, y cuidar de que se pongan en seguridad los restos bien sean de buque, bien del cargamento.

Art. 10. En todo lo relativo à la administracion de Justicia, al derecho de disponer de sus bienes por venta, donacion, càmbio, ò de otro modo, al derecho de suceder por testamento ò de cualquier otra manera, à la libertad del culto en las casas particulares, ò en los lugares públicos destinados à este objeto, ò à las sepulturas; los ciudadanos y súbditos respectivos gozarán de una y otra parte de la mas perfecta proteccion, y del trato y ventajas acordados à las naciones mas favorecidas.

Art. 11. El presente tratado tendrá fuerza y valor durante el término de siete años à contar del dia del cange de las ratificaciones, y en seguidas hasta la espiracion de doce meses, despues que una de las altas partes contratantes haya notificado à la otra su intencion de hacerlo cesar; reservándose cada una de las altas partes contratantes el derecho de hacer esta notificacion al cabo de los siete años que se han convenido para la duracion de este tratado, ò à cualquier otra fecha posterior.

Art. 12. El presente tratado será ratificado, y las ratificaciones cangeadas en Curazao en el término de un año, ò àntes si fuere posible.

En fe de lo cual los Plenipotenciarios respectivos han firmado y puesto en el su sello particular.

Hecho en Curazao el 30 de Noviembre de 1853.

(L. S.) *M. J. Delmonte.*

(L. S.) *I. J. Rammelman Elsevier Jr.*

Santo Domingo: Imprensa Nacional año 1853.

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*Dominican Republic and France*

# TRATADO

*Treaty*

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## DE AMISTAD, COMERCIO Y NAVEGACION ENTRE LAS REPUBLICAS DOMINICA- NA Y FRANCESA.

En el nombre de la Santísima Trinidad.

El Presidente de la República Dominicana y el Presidente de la Repú-  
blica Francesa.

Después de establecer y arreglar de una manera sólida, las relaciones políti-  
cas y comerciales entre los dos Estados, han resuelto concluir un tratado de a-  
mistad, comercio y navegación, destinado al mismo tiempo a consagrar el reco-  
nocimiento formal por parte de la Francia, de la independencia de la Repúbli-  
ca Dominicana.

Para cuyo efecto han nombrado por sus plenipotenciarios, a saber:

El Presidente de la República Dominicana.

A los Señores Juan Estevan Aybar, General de Brigada, Ministro Secre-  
tario de Estado en los despachos de Guerra y Marina, encargado de la Carte-  
ra de Relaciones Exteriores, José María Caminero, Doctor en derecho civil, y  
Ministro Secretario de Estado en los despachos de Justicia, y Ricardo Miura Ge-  
neral de Brigada, miembro del Consejo Conservador.

Y el Presidente de la República Francesa.

Al Señor Jean François Maxime Raybaud, oficial de la orden nacional de  
la Legion de honor, de la orden real Suprema del Salvador de Grecia, caba-  
llero de la noble y distinguida orden de Carlos III. de España, y de la orden  
imperial brasileña de la Cruz del Sud, Cónsul General de Francia en Haití.

Los cuales después de haber canjeado sus plenos poderes encontrados en  
buena y debida forma han convenido en los artículos siguientes.

Art. 1.º Habrá paz y amistad perpétuas entre la República Francesa por  
una parte, y la República Dominicana por otra, así como entre los Ciudadanos

de uno y otro Estado sin escepcion de personas ni de buques.

Art 2.º Los Franceses en la República Dominicana y los Dominicanos en Francia, podrán reciprocamente y con toda libertad entrar como los nacionales con sus buques y cargamentos en todos los lugares, puertos y rios que sean ó fueren abiertos al comercio extranjero.

Para el comercio de cabala serán tratados, respectivamente y mientras exista en este comercio una perfecta reciprocidad como los ciudadanos de la nacion mas favorecida.

En cuanto al comercio de cabotaje, se deja esclusivamente por una y otra parte reservado á los nacionales.

Podrán como los nacionales, residir y viajar en los territorios respectivos, comerciar en ellos por mayor y por menor, alquilar y ocupar las casas, almacenes y tiendas que les sean necesarias; transportar mercancías y dinero y recibir consignaciones tanto del interior como del extranjero, pagando los derechos y patentes establecidas por las leyes para los nacionales.

Tendrán igual libertad para sus compras y ventas, de establecer y fijar el precio de los efectos, mercancías y otros objetos, bien sean importados ó nacionales ya sea que los vendan para el interior ó que los destinen para la exportacion conformándose á las leyes y reglamentos del pais.

Estarán en libertad de hacer sus negocios por si mismos de presentar en las aduanas sus propias declaraciones ó de hacerse representar, segun tengan á bien, por factor, agente consignatario ó intérprete, sea en las ventas ó compras de sus bienes efectos ó mercancías, sea en la carga ó descarga y despacho de sus buques.

Y por último no estarán sujetos, en niagun caso á otras cargas, contribuciones ó impuestos que á aquellos á que estén sometidos los nacionales ó los ciudadanos de la nacion mas favorecida.

Art. 3.º Los ciudadanos respectivos gozarán en uno y otro Estado, de una completa y constante proteccion en sus personas y en sus propiedades. Tendrán en consecuencia libre y fácil acceso á los Tribunales de Justicia para hacer valer y defender sus derechos en todas las instancias y grados de jurisdiccion establecidos por las leyes. Tendrán la libertad de emplear en todas circunstancias á los abogados, procuradores y agentes de cualquiera clase, para que obren en su nombre: gozarán en fin bajo estos respectos, de los mismos derechos y privilegios, que los que están concedidos, ó vengán á ser concedidos á los nacionales, así como estarán sujetos en su ejercicio á las mismas condiciones impuestas á éstos.

Estarán exentos de todo servicio personal, sea en el ejército ó marina, sea en las Guardias ó milicias nacionales, y de toda contribucion de guerra, empréstito forzado, requisiciones ó servicios militares de cualquiera especie y en todos los demas casos no podrán ser sometidas sus propiedades muebles ó inmuebles á otras cargas exacciones ó impuestos que aquellos á que estuvieren sometidos los nacionales ó los ciudadanos de la nacion mas favorecida sin exepcion; bien entendido que el que reclamare la aplicacion de la última parte de este artículo, tendrá la libertad de elegir entre los dos medios el que le parezca mas favorable:

Art. 4.º Los ciudadanos de uno y otro Estado no podrán ser sometidos, respectivamente a ningún embargo ni retenidos con sus buques, cargamentos, mercancías y efectos comerciales, para alguna expedición militar, ni para uso público cualquiera que sea, sin una indemnización convenida y fijada previamente entre las partes interesadas y suficiente para este uso, y para los quebrantos, pérdidas, retardos y perjuicios que se originen ó nascan del servicio á que se les obligue.

Art. 5.º Los ciudadanos de ambos Estados gozarán respectivamente de la más completa libertad de conciencia, y podrán ejercer su culto del modo que se le permitan la Constitución y las leyes del país en que se encuentren.

Art. 6.º Los ciudadanos de los dos países tendrán libertad de poseer bienes inmuebles, y de disponer como les convenga por venta, donación, cambio, testamento ó de cualquiera otro modo, de todos los bienes que posean en los territorios respectivos. Del mismo modo los ciudadanos de los dos Estados, que fueren herederos por testamento ó *ab-intestato* de bienes situados en los dominios del otro Estado, podrán suceder sin impedimento en dichos bienes y disponer de ellos según su voluntad, y los dichos herederos, ó legatarios no estarán sujetos á ningún derecho de extranjería, ni de detracción, y no tendrán obligación de pagar otros ni más altos derechos de sucesión, ó de otra especie que los que pagaren en casos semejantes los nacionales.

Art. 7.º Si, (lo que Dios no permita,) llegare á turbarse la paz entre las dos partes contratantes, se concederá por una y otra un término que no baje de seis meses á los comerciantes que se encuentren en el país para arreglar sus negocios y disponer de sus propiedades; y además se les dará un salvo-conduto para embarcarse en el puerto que designaren por su propia conveniencia, á menos que esté ocupado ó sitiado por el enemigo y que su propia seguridad ó la del Estado se opongan á su salida por este puerto.

Los ciudadanos de otras ocupaciones, que tengan algún establecimiento fijo y permanente en los respectivos estados, ó que ejerzan en ellos alguna profesión ó industria podrán conservar su establecimiento y continuar en el ejercicio de su profesión ó industria sin ser inquietados en manera alguna, y gozarán de plena libertad y de sus bienes mientras no cometan ninguna ofensa contra las leyes del país. En fin, sus propiedades ó bienes de cualquiera especie no estarán sujetos á ocupación ó secuestro ni á otras cargas ni imposiciones que las que se exijan á los nacionales. Del mismo modo las acreencias que tengan contra particulares ó contra los fondos públicos, y las acciones de bancos ó compañías, no podrán jamás ser ocupadas, secuestradas ó confiscadas en perjuicio de los ciudadanos respectivos.

Art. 8.º El comercio francés en la República Dominicana y el Comercio dominicano en el territorio de Francia, serán tratados respecto á los derechos de Aduana en la importación y exportación, como el de la nación extranjera más favorecida.

En ningún caso, los derechos de importación impuestos en Francia sobre los productos del suelo ó de la industria Dominicana, y en la República Dominicana sobre los productos del suelo ó de la industria de Francia, podrán ser otros ó más altos que aquellos á que están ó fueren sujetos los mismos pro-

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ductos de la nacion mas favorecida. El mismo principio se observará en la exportacion.

No se impondrán en el comercio recíproco de los dos paises ninguna prohibicion ó restriccion de importacion ó exportacion sino es igualmente extensiva á las demas naciones y las formalidades que puedan exigirse para acreditar el origen ó procedencia de las mercancías, respectivamente importadas en uno de los dos Estados serán tambien comunes á todos los demas.

Art. 9.º Todos los productos del suelo ó de la industria de uno de los dos paises, cuya importacion no esté espresamente prohibida, pagarán en los puertos del otro los mismos derechos de importacion, bien sean conducidos en buques franceses ó dominicanos. Del mismo modo los productos que se exportan, pagarán los mismos derechos y gozarán de las mismas franquicias, abonos y reducciones de derechos que están ó estuvieren reservados á las exportaciones en buques nacionales.

Art. 10.º Los buques franceses que vengan directamente de los puertos de Francia con ó sin cargamento de cualquiera capacidad que sean, no pagarán en los puertos dominicanos otros ni mayores derechos de tonelada, de fátola, de puerto, de pilotaje, de cuarentena ú otros afectos al casco del buque, que aquellos á que están ó fueren sujetos los buques nacionales.

Por reciprocidad y hasta que convenga al Gobierno Dominicano de exep-tuar sus propios buques de todo derecho de tonelada, como la Francia lo hace con los suyos, los buques dominicanos que vayan directamente de los puertos de la República Dominicana, con cargamento ó sin él, de cualquiera porte que sean, no pagarán en los puertos de Francia otros ni mayores derechos de tonelada, que los que los buques franceses tengan que pagar en los puertos dominicanos conforme á la estipulacion que precede. Ellos serán ademas asimilados á los buques franceses para todos los otros derechos y cargas enunciadas en el presente artículo.

Las exepciones á la franquicia del pabellon, que puedan tocar en Francia á los buques franceses que lleguen de otra parte, que de la República Dominicana ó que vayan á otra, serán comunes á los buques dominicanos que hagan los mismos viages; y esta disposicion será reciprocamente aplicable en la República Dominicana á los buques franceses.

Art. 11.º Los derechos de navegacion, de tonelada y otros que se cobran en razon de la capacidad de los buques, se percibirán para los buques franceses en los puertos de la República Dominicana, según el tenor de la licencia ó pasaporte del buque: se obrará del mismo modo en los puertos de Francia hacia los buques dominicanos.

Art. 12.º Los buques franceses en la República Dominicana y los buques dominicanos en Francia, podrán descargar parte de su cargamento en el puerto de su llegada y dirigirse con el resto á otros puertos del mismo Estado sea para concluir allí su descarga ó sea para tomar su cargamento de retorno no pagando en cada puerto otros ó mas altos derechos, que los que pagan los nacionales en casos iguales.

Art. 13. Cuando por arribada forzada ó por otra averia efectiva y comprobada entraren buques de una de las naciones contratantes en los puertos de la

otra ó tocaren en sus costas no estarán sujetos á derecho alguno de navegacion bajo cualquiera denominacion que estos derechos estuvieren establecidos, á excepción, que representan el salario de servicios prestados por industrias privadas siempre que tales buques no hagan ninguna operacion mercantil, sea cargando sea descargando mercancías para el consumo, ó la esportacion. Les será permitido depositar en tierra sus cargamentos para evitar el deterioro sin exigirles en este caso mas ni otros derechos que los relativos al alquiler de almacenes y astilleros públicos que fueron necesarios para depositar las mercancías, y para componer las averías del buque. Los capitanes podrán, bajo la direccion y custodia de los Cónsules de su nacion, proceder á reparar sus averías, sea por los hombres de su tripulacion, sea por los operarios del país, en la forma de ajuste ó destajo, ó de precios convencionales, sin estar sujetos á ninguna restriccion escijencia y otra corporacion privilegiada, ~~que~~ agravamen forzoso.

Art. 14 Serán considerados como franceses en la República Dominicana, y como dominicanos en Francia, los buques de *bona fide* pertenescan á los Ciudadanos de ambos países que navegaren bajo los pabellones respectivos, y que sean portadores de los papeles de mar y documentos escijidos por las leyes de cada uno de los dos Estados para la justificacion de la nacionandad de los buques de comercio. Con todo, el manifiesto de los buques dominicanos, cuando salgan de algun puerto dominicano, para un puerto frances deberán ademas estar revestidos ó acompañados de un certificado que acredite su nacionalidad, y este certificado será despachado gratis por el Cónsul ó agente consular de Francia del lugar de su expedicion ó por el mas vecino de dicho lugar. Los buques franceses no tendrán que llenar tal formalidad antes de salir de Francia para un puerto dominicano, en atencion á que la legislacion francesa prohibe en principio la naturalizacion de buques contruidos en astilleros extranjeros.

Art. 15 En caso de que algun buque, mercancías ó efectos pertenecientes á los Ciudadanos de los Estados contratantes fuesen apresados por piratas y conducidos ó hallados en los puertos del otro Estado, serán entregados á sus propietarios, pagando si ha lugar los gastos de represa. Estos gastos serán determinado por los Tribunales respectivos, siempre que prueben la propiedad en debida forma por si mismo por sus apoderados ó por los agentes de su nacion dentro del termino de un año.

Art. 16 Los buques de guerra de una de las dos Potencias podrán entrar, permanecer y repararse en los puertos de la otra cuyo acceso esté concedido á la nacion mas favorecida; estarán sujetos á las mismas reglas, y gozarán de los mismos honores, ventajas, privilegios y exenciones.

Art. 17 Si sucediere que una de las dos partes contratantes estuviere en guerra con algun otro país, la otra parte no podrá en ningun caso autorizar á sus nacionales á tomar ni aceptar comisiones ó letras de marca para obrar hostilmente contra la primera, ó para inquietar el Comercio y propiedades de sus ciudadanos.

Art. 18 A loptando las dos partes contratantes, en sus relaciones mutuas el principio de que el pabellon cubre la propiedad, si una de ellas permaneciere neutral, se reputan tambien neutrales, cuando la otra estuviere en guerra con una tercera potencia, las mercancías cubiertas con el pabellon neutral, aun

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cuando pertenescan á los enemigos de la segunda.

Se estipula tambien que la libertad del pabellon asegura la de la personas y bajo de este supuesto los Ciudadanos pertenecientes á una potencia enemiga encontrados abordo de un buque natural, no podrán ser hechos prisioneros sino solamente cuando sean militares y estén alistados en el servicio del enemigo.

En consecuencia del mismo principio sobre la asimilacion del pabellon y de las mercancías, la propiedad neutral que se encuentre abordo de un buque enemigo será considerada como enemiga á menos que hayan sido embarcadas en este buque antes de la declaracion de guerra, ó antes que tuviese noticia de ella en el puerto de la salida del buque. Las dos partes contratantes no aplicaran este principio en lo que concierne á los intereses de otras Potencias sino respecto de aquellas que tambien lo reconocen.

Art. 19. En caso que una de las partes contratantes estuviere en guerra con otra potencia; y sus buques tuviesen que ejercer en el mar el derecho de visita, se conviene que cuando encuentren buques pertenecientes á la parte que haya permanecido neutral, enviaran dos reconocedores que examinen los papeles relativos á su nacionalidad y á su cargamento. Los Comandantes serán responsables con sus personas y bienes de toda vejacion, ó violencia que cometan ó toleren en estas ocasiones. No se permitirá visitar á los buques que navegan en convoy, pues bastará que el Comandante del convoy afirme verbalmente, bajo su palabra de honor que todos los buques puestos bajo su proteccion y escorta, pertenecen al Estado cuyo pabellon enarbola, y que declare cuando los buques estan destinados á un puerto enemigo, que no llevan efectos de contrabando de guerra.

Art. 20. Aunque una de las dos partes contratantes se halle en guerra con otra nacion, los Ciudadanos de la parte que permanezca neutral podran continuar su navegacion y comercio con la misma nacion excluyendo las ciudades ó puertos que estén realmente bloqueados ó sitiados. Debe entenderse que esta libertad de comerciar y navegar no se estiende á artículos reputados contrabando de guerra, como son bocas, y armas de fuego, armas blancas, proyectiles, pólvora, salitre, objetos de equipos militares, y todos instrumentos cualesquiera fabricados para el uso de la guerra.

En ningun caso, un buque de comercio, perteneciente á Ciudadanos de uno de los dos Estados que se encuentre despachado para un puerto bloqueado por el otro, podrá ser apresado, detenido ni condenado á menos que se le haya instruido previamente por una notificacion de la existencia del bloqueo, por un buque de la escuadra ó division bloqueadora. Y para evitar que se alegue una ignorancia de los hechos y que pueda capturarse el buque que haya sido debidamente notificado si intentase en seguida penetrar en el mismo puerto durante el bloqueo deberá el Comandante del buque de guerra que lo reconozca, anotar en sus papeles de navegacion el lugar ó la altura en que lo haya encontrado la notificacion que le haya sido hecha.

Art. 21. Para la proteccion del Comercio en ambos paises podrán establecerse Cónsules; pero no entrarán en el ejercicio de sus funciones sino despues de haber obtenido la autorizacion del Gobierno territorial, que conservará siempre la facultad de designar el lugar de la residencia de los Cónsules de la

otra potencia comprometiéndose ambos Estados á no establecer sobre este particular restricciones ó prohibiciones que no sean comunes, en el pais á todas las demas naciones.

Art. 22. Los Cónsules respectivos y sus Cancilleres ó secretarios gozarán en los dos paises de los privilegios atribuidos generalmente á sus empleos cuales son las exenciones de alojamientos militares y de todas las contribuciones directas personales, mobiliarias, suntuarias á menos que sean Ciudadanos del pais en que sirven ó se hayan propietarios ó poseedores de bienes inmuebles ó ejercen el comercio en cuyos casos estarán sujetos á los mismos impuestos cargas ó contribuciones que pagan ó pagaren los otros Ciudadanos. Estos agentes gozarán ademas de la inmunidad personal, sin que puedan ser ni arrestados ni encarcelados, exepcto en el caso de crimen atróz, y si fueren comerciantes el apremio corporal no les podrá ser aplicado sino para los solos hechos de comercio y no para causas civiles.

Los Cónsules y sus Cancilleres no podran ser citados para comparecer como testigos por ante los Tribunales, cuando la justicia del pais necesite tomarles alguna declaracion judicial tendrá que pedirselas por escrito, ó transportarse á su casa, para recibirla *Viva Voz*. Por fin estos agentes gozarán de todos los demas privilegios exenciones é inmunidades que pueden ser concedidas en el pais donde residen, á los agentes de la misma categoria de la nacion la mas favorecida.

Art. 23. Los archivos y en general todos los papeles de las Cancillerias ó secretarias de los consulados respectivos seran inviolables, y bajo ningun pretexto, ni en ningun caso podran ser ocupados ni visitados por la autoridad local.

Art. 24. Los Cónsules respectivos en caso de que fallezca alguno de sus nacionales sin testar ni nombrar albaceas testamentarios podrán: 1.º poner los sellos, ya de oficio, ya por requerimiento de las partes interesadas en los efectos, muebles, y papeles del difunto, informando previamente de esta operacion á la autoridad local competente, que podrá asistir á ella, y aun si lo estimare conveniente, cruzar con sus sellos los que haya puesto el Cónsul; y desde entences no podrán levantarse estos dobles sellos sino de comun acuerdo 2.º formar el inventario de los bienes de sucesion á presencia de la autoridad del pais si esta creyere que deba concurrir á este acto: 3.º hacer que se proceda conforme al uso del lugar á la venta de los bienes pertenecientes á la sucesion. En fin, administrar y liquidar personalmente ó nombrar, bajo su responsabilidad, un agente que administre y liquide dicha sucesion sin que la autoridad local tenga que intervenir en estas nuevas operaciones á menos que se reclamen contra la sucesion intereses por parte de algun Ciudadano ó Ciudadanos del pais ó de una nacion diferente pues en estos casos si se suscitase alguna controversia entre los interesados se decidirá por los Tribunales del territorio obrando entónces el Consul como la parte que representa la sucesion.

Pero estarán obligados los cónsules á hacer anunciar el fallecimiento del individuo en uno de los periódicos que se publiquen en la estension de su territorio, y no podran entregar los bienes mortuorios, ni su producto á los herederos lejítimos ó á sus mandatarios, sino despues de satisfecha todas las

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douas que el difunto hubiere contraido en el pais ó cuando pasado un año despues de la publicacion de la muerte, no se haya promovido nignun reclamo contra la sucesion.

Art. 25. En cuanto concierne á la policia de los puertos; la carga y descarga de los buques, seguridad de las mercancías, bienes y efectos; los Ciudadanos de los dos países estarán respectivamente sujetos á las leyes y estatutos locales. Sin embargo los cónsules respectivos estarán encargados esclusivamente del orden interior abordo de los buques mercantes de su nacion y ellos solos conoceran de las diferencia que ocurran, entre los hombres el capitan y oficiales de la tripulacion pero las autoridades locales podran intervenir, cuando los desordenes ocurridos sean capaces de turbar la tranquilidad pública en tierra ó en el puerto, y podrán igualmente conocer de estas diferencias cuando un individuo del pais ó un extranjero estén mezclados en ellas.

Art. 26. Los consules respectivos podran hacer arrestar y remitir á bordo de los buques de su nacion, ó su pais á los marineros que deserten de ellos. Al efecto se dirijiran por escrito á las autoridades locales competentes y justificaran con la exhibicion de los registros del buque ó del rol de la tripulacion, ó, si el buque hubiere partido, con copias de las piezas referidas, debidamente certificadas por ellos, que los hombres que reclaman pertenecian á la tripulacion de dicho buque. Justificada asi la solicitud, no podran reusárseles la entrega, antes bien se le dara todo favor y ausilio para la busca y captura de los desertores, los cuales serán tambien detenidos en las cárceles del pais por requerimiento y á costa de los Consules, hasta que tengan ocasion para hacerlos partir: mas si no se presenta esta ocasion en el termino de tres meses contado desde el dia del arresto serán puestos en libertad los desertores y no podran ser presos otra vez por la misma causa.

Art. 27. Siempre que no haya estipulaciones contrarias, establecidas en buena y debida forma entre los armadores cargadores y aseguradores, las averias que sufran los buques de uno de los dos Estados en sus viages á los puertos del otro, se arreglaran por los Consules de su nacion á menos que estén interesados en ellos otros habitantes del pais en que residan los Cónsules; pues á no ser que intervenga compromiso amigable entre todas las partes interesadas deberán arreglarse las averias por las autoridades locales.

Art. 28. Todas las operaciones relativas al salvamento de los buques franceses, que naufraguen en las costas de la República Dominicana, serán dirijidos por los Cónsules de Francia, y reciprocamente los Cónsules Dominicanos dirijirán las operaciones relativas al salvamento de los buques de su nacion que naufraguen ó encallen en las costas de Francia.

Las autoridades locales en ambos países, no tendrán intervencion, que la concerniente á mantener el orden, garantizar los salvadores si fueren personas estrañas, de las tripulaciones naufragas, y asegurar la ejecucion de las disposiciones que deben observarse para la entrada y la salida de las mercancías salvadas. Si en el lugar no hubiere Cónsul ó Vice Cónsul, ó mientras estos funcionarios se presenten las autoridades locales tomarán todas las medidas necesarias para la proteccion de los individuos y conservacion de los objetos naufragados. Se conviene ademas que las mercancías salvadas no estarian sujetas á ningun derecho

de aduana, á ménos que sean admitidas al consumo interior.

Art. 29. La Republica Dominicana gozará en las colonias y posesiones francesas en América de los mismos derechos y franquicias, y de la misma libertad de comercio y navegacion de que actualmente goza ó en adelante gozará la nacion mas favorecida; y reciprocamente los habitantes de dichas colonias y posesiones gozarán en toda su estension en el territorio de la República Dominicana de los mismos derechos y franquicias y de la misma libertad de comercio y de navegacion que por este tratado se conceden al comercio, navegacion y ciudadanos franceses.

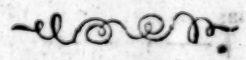
Art. 30. Se conviene formalmente entre las dos partes contratantes, que además de las estipulaciones que preceden, gozarán de pleno derecho los Agentes diplomáticos y Consulares, los súbditos de todas clases, los buques y mercancías de uno de los dos Estados en el territorio del otro, de los privilegios, franquicias é inmunidades concedidas ó que se concedan á la nacion mas favorecida; y esto gratuitamente si la concesion es gratuita, ó con la misma compensacion, si la concesion es condicional.

Art. 31. Las estipulaciones del presente tratado son perpetuas con excepcion de los artículos X y XIV, cuyo término se fija á cinco años, contados desde la fecha del cange de las ratificaciones: pero, si un año antes de la espiración de este término ninguna de las partes anunciare, por una declaracion oficial su intencion de hacerlos terminar, los dichos artículos continuarán siendo obligatorios para ambas partes durante un año mas: observándose este mismo hasta la espiracion de los doce meses despues de haberse hecho la espresada declaracion oficial, cualquiera que sea la época en que se hiciere.

En el caso que una de las dos partes contratantes juzgue que alguna ó algunas de las estipulaciones del presente tratado han sido violadas en su perjuicio, deberá antes de todo presentar á la otra parte una exposicion de los hechos y pedir reparacion, acompañada de los documentos y pruebas necesarias para justificarla, y de ningun modo podrá autorizar actos de represalias, ni declarar la guerra antes de que la reparacion pedida haya sido negada ó desatendida.

Art. 32. El presente tratado será ratificado en conformidad á las Constituciones respectivas de ambos países y las ratificaciones se cangearán en la Ciudad de Paris en el término de ocho meses ó mas antes si hacerse puede.

Hecho y firmado en Santo Domingo, capital de la República, á los ocho dias del mes de Mayo del año de gracia de mil ochocientos cincuenta y dos.—*J. E. Aybar.—Dr. José María Caminero.—R. Miura.—Maxime Raybaud.*



DIOS, PATRIA Y LIBERTAD.

REPUBLICA DOMINICANA.

CONGRESO NACIONAL.

Prevía la declaratoria de urgencia

Vista la sancion del Tratado de Reconocimiento, paz, a-

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mistad y comercio con la República Francesa de fecha 12 de Mayo de 1852.

Vista la ratificación hecha por el Príncipe Luis Napoleon Presidente de la República Francesa fecha 5 de Agosto.

El Congreso Nacional en nombre de la República Dominicana.

Ejecútese el presente tratado que será enviado al Poder Ejecutivo para su promulgacion en la forma constitucional

Dado en el Palacio Nacional del Congreso el 14 de Abril 1853 y 10.º —El Presidente, *Benigno F. de Rojas*.—Los Secretarios, *Merced Marciano*.—*Francisco Sardá y Carbonell*.

Cúmplase, comuníquese y circule en todo el territorio de la República.

Santo Domingo y Abril 14 de 1853, año 10 de la Patria.

El Presidente de la República,

**SANTANA.**

Refrendado: El Ministro de  
Relaciones Exteriores,  
**P. E. PELLETIER.**

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**Santo Domingo.—Imprenta Nacional.—1853**

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## TRATADO

*Treaty*

**De Paz, Amistad, Comercio y Navegación, entre la República Dominicana y Su Majestad Británica.**

EN EL NOMBRE DE LA SANTÍSIMA TRINIDAD.

Deseando el Presidente de la República Dominicana y Su Majestad la Reyna del Reyno Unido de la Gran Bretaña é Irlanda, consagrar el reconocimiento formal de la Independencia de aquella y concluir un Tratado de Paz y Amistad, en el que se regulen las relaciones comerciales entre los Territorios y Ciudadanos de la República, y los Dominios y Súbditos de Su Majestad, han nombrado con este objeto, sus respectivos Plenipotenciarios, á saber:

El Presidente de la República Dominicana, al Señor José María Medrano, Ministro Secretario de Estado y de los Despachos del Interior y Policía, encargado de las Carteras de Justicia, Instrucción pública y Relaciones Exteriores.

Y Su Majestad la Reyna del Reyno Unido de la Gran Bretaña é Irlanda, á Sir Robert Hermann Schombourgk, Caballero, Doctor de Filosofía, Caballero de la Real Orden Prusiana del Aguila Roja, de la Real Orden Sajona del Mérito; de la Orden de la Lejion de Honor de la República Francesa, Cónsul suyo cerca de la República Dominicana;

Quienes habiéndose comunicado mutuamente sus respectivos Plenos Poderes, y halláolos en buena y debida forma, han acordado y concluido los artículos siguientes:

Art. 1.<sup>o</sup> Habrá perpetua Paz y Amistad entre la República Dominicana y Su Majestad la Reyna del Reyno Unido, de la Gran Bretaña é Irlanda, Sus Herederos y Succesores, y entre sus respectivos Ciudadanos y Súbditos.

Art. 2.<sup>o</sup> Habrá reciproca libertad de Comercio en la República Dominicana y los Dominios Británicos. Los Ciudadanos de la República Dominicana podrán residir y comerciar en cualquier punto de los Dominios de Su Majestad Británica, en que los demas Estrangeros son ó serán admitidos. Ellos gozarán de entera proteccion en sus personas y propiedades. Podrán comprar y vender de quien y á quien gustáren, sin ser restringidos ó afectados por ningun monopolio, contrata ó esclusivo privilejio de compra ó venta alguna, y disfrutarán ademas de todos los otros derechos y privilejios que hayan sido ó sean concedidos á cualesquier otros estrangeros, Súbditos ó Ciudadanos de la Nacion mas favorecida.

Los Súbditos de Su Majestad Británica gozarán en retorno de una proteccion y privilejios semejantes en los Territorios de la República.

Art. 3.<sup>o</sup> No se impondrán en los Dominios Británicos á los buques de la República, ni á los géneros importados ó esportados en buques Dominicanos, derechos de tonelada, importacion ó otros derechos ó cargas mayores que los que se imponen ó se impusiesen á los buques Nacionales, ó á iguales géneros importados ó esportados en buques Nacionales, en y de los puertos habilitados. Y del mismo modo no se impondrán en la República Dominicana á los buques Británicos, ni á los géneros importados ó esportados en dichos buques, derechos de tonelada, importacion ó otros derechos ó cargas mayores que los que se imponen ó se impusiesen á los buques Nacionales ó á géneros iguales importados ó esportados en buques Nacionales en y de los puertos habilitados; sin perjudicar de ningun modo el cabotaje que se conserva esclusivamente á los buques Nacionales de cada una de las dos Partes Contratantes.

Art. 4.<sup>o</sup> Las mercancías ó géneros procedentes del Territorio de la República Dominicana, en cualquier buque, ó importados en buques Dominicanos de cualquier pais, no serán prohibidos por la Gran Bretaña, ni estarán sujetos á mayores derechos que los que se cobran en igual clase de mercancías ó géneros procedentes de cualquier otro pais estranjeró ó importados en cualquier otro buque.

Todos los artículos productos de la Gran Bretaña podrán ser esportados de ella por Ciudadanos y buques Dominicanos, en términos tan favorables como por Súbditos ó Ciudadanos y buques de cualquier otro pais estranjeró.

Art. 5.<sup>o</sup> El Gobierno de la Gran Bretaña protegerá á todos los buques Dominicanos, á sus oficiales y tripulaciones. Si cualquiera de los tales buques naufragare en la Costa de la Gran Bretaña, las Autoridades locales les prestarán socorro, y los pondrán al abrigo del pillaje y harán que todos los artículos que se salveren del naufragio, sean devueltos á sus dueños legitimos. El importe de los derechos de salvamento en semejantes casos, será determinado, caso de disputa, por árbitros nombrados por ambas partes.

Art. 6.<sup>o</sup> Siendo la intencion de ambas partes contratantes, la de sujetarse por el presente Tratado á tratarse una á otra, sobre las bases de la Nacion mas favorecida, se conviene por éste, entre ambas, en que todo favor, privilejio ó inmunidad cualquiera, en materia de Comercio y navegacion que cualquiera de ambas partes contratantes tiene concedido actualmente ó concediere en adelante á Súbditos ó Ciudadanos de otro Estado, se estienda y aplique á los Súbditos ó Ciudadanos de la otra parte contratante, gratuitamente si la concesion hecha en favor de aquel otro Estado fuere gratuita, ó para corresponder á una compensacion aprosimativa del valor proporcional y efecto, que mutuamente se convenga si la concesion hubiere sido condicional.

Art. 7.<sup>o</sup> Cada una de las partes contratantes podrá nombrar Cónsules, para la proteccion del Comercio, y residir en los Territorios ó Dominios de la otra; pero ningun Cónsul empezará á desempeñar sus funciones hasta haber sido aprobado y admitido en las formas acostumbradas por el Gobierno del pais al que es enviado.

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Los Agentes Diplomáticos y Cónsules de cada una de las dos partes contratantes residentes en los Territorios ó Dominios de la otra, gozarán de los mismos derechos, inmunidades, privilegios y exenciones que son concedidos ó que se concedieren á los Agentes Diplomáticos ó Cónsules de igual rango de la Nación mas favorecida.

Art. 8.º Los Súbditos de Su Majestad Británica residentes en la República Dominicana, no serán inquietados, perseguidos, ni molestados por razon de su religion; mas gozarán de una perfecta libertad de conciencia en ella y en el ejercicio de su creencia, ya dentro de sus propias casas ó en sus capillas particulares. Tambien será permitido enterrar á los Súbditos de Su Majestad Británica que murieren en los Territorios de dicha República, en sus cementerios, que podrán del mismo modo libremente establecer y entretener.—Asi mismo los Ciudadanos de la República Dominicana, gozarán en todos los Dominios de Su Majestad Británica, de una perfecta é ilimitada libertad de conciencia, y del ejercicio de su religion pública ó privadamente, en las casas de su morada, ó en las capillas y sitios de culto destinados para el dicho fin.

Art. 9.º Siendo perpetuamente abolida la esclavitud en la República Dominicana, y estando ya el tráfico de esclavos declarado por ella como acto de piratería, que se castiga con el último suplicio; la República Dominicana se obliga á permitir á aquellos buques de guerra Británicos; que estuvieren provistos de las Instrucciones especiales, segun los Tratados entre la Gran Bretaña y las Potencias Estrasgeras, y con las formalidades y en los casos previstos por dichos Tratados relativos á impedir el infame tráfico de esclavos, visitar los buques que naveguen bajo el pabellon Dominicano que puedan con fundado motivo ser sospechados de ocuparse en tan infame tráfico; entendiendose que el derecho de visita se ejercerá ademas de las distancias y lugares espresados en los Tratados con otras Potencias, para las Islas de Cuba y Puerto Rico, tambien á la misma distancia de veinte leguas de las Costas de la República Dominicana; y si el resultado de la visita presentase al Oficial Comandante del buque de guerra Británico, que las sospechas que dieron lugar á ella están bien fundadas, el buque sin dilacion será enviado al Puerto de Santo Domingo en la República Dominicana, y entregado á las Autoridades locales para que se proceda contra él conforme á las Leyes de la República.

Está entendido que el presente Artículo no será estensivo á otros casos que puedan ocasionar tardanzas y gravámenes á los buques Dominicanos en sus viajes y empresas Comerciales, cuando por el contrario deben esperar toda asistencia y proteccion, pero, si como no es de suponer llegase el caso de que la República Dominicana creyese recibir por esta concesion, alguna molestia vejatoria, quedará por el mismo hecho habil para retirarla, haciendo con antelacion de un año la debida notificacion.

Art. 10. Añu de que ambas partes contratantes puedan tener ocasion en adelante de tratar y convenir cualquier otro punto que pueda tender á mejorar todavia mas sus mútuas relaciones y adelantamiento de los intereses de los Ciudadanos y Súbditos respectivos, se ha convenido que el presente Tratado permanecerá en sus fuerza y vigor por el término de diez años, contados desde la fecha del canje de las ratificaciones, teniendo cualquiera de las partes contratantes el derecho de hacer á la otra, la notificacion de su intencion de terminar al vencimiento de dichos diez años las estipulaciones relativas á comercio y navegacion que quedarán sin efecto, trascurridos los diez años, y en todo lo relativo á paz y amistad, permanecerá obligatorio á ambas Naciones.

Art. 11. El presente Tratado será ratificado y las ratificaciones canjeadas en Santo Domingo dentro del término de ocho meses ó antes si fuere posible, contados desde la fecha de este Tratado.

En fé de lo cual los respectivos Plenipotenciarios lo han firmado y sellado con los sellos de sus armas.

Hecho en Santo Domingo el sexto dia de Marzo en el año de gracia de mil ochocientos y cincuenta.—Robert H. Schombourgh.—José María Medrano.

#### ARTÍCULO ADICIONAL.

Las circunstancias de la guerra actual con la Nacion Haitiana, pudiendo obligar á la República Dominicana á recurrir á medidas estraordinarias, está especialmente entendido y establecido entre las partes contratantes que la República Dominicana tendrá entera libertad de hacer durante ella tales leyes que la pongan en estado de defensa, no obstante la estipulacion contenida en el Artículo 2.º con respecto á no poder los Súbditos de Su Majestad Británica ser restringidos ó afectados por ningun monopolio, contrata ó esclusivo privilegio de compra ó venta alguna, y que siendo constante su disposicion á atraer y proteger el Comercio, no entra en sus miras la adopcion de ninguna medida para coartarlo, sino en caso de la continuacion de la guerra actual.

El presente Artículo adicional tendrá la misma fuerza y efecto, como si hubiese sido inserto palabra por palabra en el Tratado firmado hoy, y será ratificado al mismo tiempo. En consecuencia de la excepcion que contiene está igualmente entendido que la sancion ó desaprobacion del Tratado queda especialmente reservado á Su Majestad Británica.

En testimonio de lo cual los abajos firmados, en virtud de sus Plenos Poderes, han firmado y sellado el presente Artículo.

Hecho en Santo Domingo el sexto dia de Marzo en el año de gracia de mil ochocientos y cincuenta.—Robert H. Schombourgh.—José María Medrano.

## EL CONGRESO NACIONAL.

Visto y ecsaminado el Tratado de reconocimiento, paz, amistad, comercio y navegacion, concluido

entre la República Dominicana y el Reyno Unido de la Gran Bretaña é Irlanda, firmado y sellado en esta Capital de la República, el día 6 de Marzo del corriente año de 1850, por los Plenipotenciarios de ambas Naciones debidamente autorizados por sus respectivos Gobiernos.

DECRETA:

Art. único. El Congreso de la República Dominicana presta su consentimiento y aprobación al Tratado de reconocimiento, paz, amistad, comercio y navegación, celebrado entre los Plenipotenciarios Sres. J. M. Medrano, Ministro Secretario de Estado en los Despachos del Interior, Policía y Relaciones Exteriores, por la República Dominicana, y Sir Robert Hermann Schombourgk Cónsul de la Gran Bretaña cerca de la República, en representación de su Gobierno, en fecha de 6 de Marzo del corriente año de 1850.

El Congreso Nacional, EN NOMBRE DE LA REPÚBLICA DOMINICANA: ejecútese el Decreto que aprueba el Tratado de reconocimiento, paz, amistad, comercio y navegación con la Gran Bretaña, el que será enviado al Poder Ejecutivo para los efectos Constitucionales.

Dado en la Ciudad de Santo Domingo, Capital de la República, á los tres dias del mes de Mayo de mil ochocientos cincuenta, y séptimo de la Patria.—El Presidente del Congreso.—*Felix M. Delmonte*. Los Secretarios.—*Toribio L. Villanueva*.—*P. Valverde*.

Cúmplase, comuníquese y circule en todo el territorio de la República Dominicana, el presente Decreto.

Santo Domingo y Mayo 7 1850 año 7.º—El Presidente de la República.—BUENAVENTURA BAEZ.—Refrendado: El Ministro de Relaciones Exteriores.—MEDRANO.

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Santo Domingo: Imprenta Nacional: Año 1850. Ignacio Gonzalez.

Rev B. August. Mr. Walker

Santo Domingo July 22<sup>nd</sup> 1854

Sir

I have the honor to inform you that the Columbia arrived at her anchorage off Santo Domingo the 17<sup>th</sup> inst and that I landed in this city the next morning. I immediately presented my credentials to the Minister of Foreign Relations Don Nepomaceno Peyra who I may observe in passing is a man of American ideas and not unfavorably disposed.

President Santana is absent on his estate in the provincia of Seybo, but a courier was promptly dispatched at my instance to request his presence here and he is now hourly expected.

In the interviews which I have since had with the other members of the government it became evident to me that the only possible obstacle to the early and complete success of my mission was a vague dread of the intervention of the United States.

Foreign influence has been very powerful in this feeble and hitherto neglected American Republic and

To  
Hon<sup>ble</sup> William L. Marcy  
Secretary of State

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Europeans here labor incessantly to instill into the  
Chippewas a belief that their domain will be seized,  
the native whites set aside, and the blacks enslaved if  
the Americans gain a foothold on their Island. President  
Sardina and the enlightened members of his government  
may have different opinions, but if the masses actively  
take up such a prejudice no Cabinet can resist it.  
On this account I was anxious that no marked step  
should be taken in the direction of Samana Bay until  
negotiations were fairly and favorably commenced  
and the consent of the Executive politely asked and  
received.

Capt. M. Cullen of the Eng<sup>t</sup>, who is naturally and  
properly desirous not to lose time at this bad sea-  
son of the year, wrote me from on board the Flag-  
ship Columbia the 19<sup>th</sup> inst. suggesting the propriety  
of proceeding to make the reconnaissance of Samana  
without waiting the permission of this government.  
I answered him at once that such an act would  
at this moment be highly impolitic and strongly  
recommended a few days delay.

On the 20<sup>th</sup> Com<sup>dr</sup> Newton wrote informing me  
of his intention to proceed immediately to Samana.  
He considered this roadstead unsafe, but I  
communicated to him my reasons for desiring him  
not to go in that direction just at this moment and  
I had before intimated that it would be better  
for the public interest if he selected the equally safe,  
and much nearer, Bay of Ocoa for a weeks anchorage.

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Com<sup>re</sup> Newton did not reply before he sailed but I trust he will not, under the circumstances, go to Samana; or if he does that Cap<sup>n</sup> McCallen will be cautious in his operations.

Mr. Elliott the U. S. Commercial Agent, had prepared to go to Samana on this trip, but I objected decidedly to this additional clutter to a ship that, is already, I repeat to say, is already - a subject of street talk and he obligingly yielded the point.

After the Columbia left, the National Schooner Buena Ventura was dispatched to Puerto Rico to bring home Genl Mella, late Minister to Spain from this Republic, and probably to inform the Spanish authorities of all the summaries afloat as to the objects of the Columbia in these waters.

On the arrival of President Santana I hope to have the honor of transmitting to you a more satisfactory account of the progress of my mission -

I have the honor to be, Sir,

Your very obedient servant

William L. Gagneau

# Recd 23d Sept

Mr Markie ✓ 666

Santo Domingo

Aug 8<sup>th</sup> 1854

Sir

Since I had the honor of addressing you on the 24<sup>th</sup> July, President Santana has returned to the Capital - On the 1<sup>st</sup> inst. he named to treat on the part of this Republic Don Juan Nepomaceno Fajra, Minister of Foreign Relations, and Genl. Juan Franco Luis Bido, member of the Dominican Senate from the Santiago District, both men of liberal principles - The indisposition of Señor Fajra has unfortunately retarded negotiations, although I labor incessantly to forward them, as I am exceedingly anxious to render an account of my mission at the earliest possible day -

Wm. D. S. Marcy  
Secretary of State

667

Capt M<sup>r</sup> Glellan wrote me on the 3<sup>d</sup> inst. informing me: "The position selected for a depot &c will require at least two square miles of land and perhaps somewhat more; it will be necessary to obtain the use & control of Levantados Bay's at the entrance of the Bay. There are five of these bays, two large (the largest containing about 64 acres) and three very small ones."

"The place selected for a depot is the head of Caunero Chico."

In pursuance of instructions I will endeavor to obtain these concessions; which I notice comparing reports, the Spanish, French and British surveys concur in representing as excellent positions.

Our most reliable friends here regret to me this premature demonstration in Santa Bay, as the report reached here immediately over-land and the Anti-American party raised the absurd cry that the United States intended to take the country, and that Gen. Santana was conspiring to betray the colored

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population into slavery-

It was desirable to prepare the way before any movement was made by us which could in any manner be perverted to excite popular opposition, nevertheless I continue my opinion that I shall effect in the main, the just views of my government

The determination formally announced by France and England of compelling Hayti to enter into a long truce or permanent peace with the Dominican Republic, renders the recognition of the United States of less importance to this people now than it was some months back; still there is too much intelligence and American feeling here not to appreciate its value.

With the greatest respect

I have the honor to be Sir

Your most Obedt Servt

William L. Cazneau

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#  
Recd 23d Sept.

Mr Markie 1672

Santo Domingo

August 19<sup>th</sup> 1854

Sir

In my former communications to the Department of State I have expressed my convictions - amounting to a moral certainty - that the Consuls of England and France were opposing an active, though secret, influence to the good understanding which the United States is disposed to enter into with the Dominican Republic -

This opinion is now confirmed by the official action of H. B. M. Consul Sir Robert Schomburgk -

He yesterday made an official call on the President and Cabinet and in the name of his government protested against any stipulations or agreement which would give to the United States a coal depot misrepresenting the object of my mission as an attempt to create a permanent establishment within the Dominican Territory - A member of the Dominican Cabinet notified me officially -

Wm. L. Hayes

Secretary of State

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# Rev. St. Petr.

N. Y. Wells

✓ 674

Santo Domingo

September 23<sup>d</sup> 1852

Sir,

I have the honor to inform you that after much delay and hesitation I am about concluding a treaty of friendship, commerce and extradition with the Dominican Republic.

The peculiar circumstances of this Government compelled me to vary somewhat the form and phraseology of the project I received, but with one exception no important feature is changed, while in some points much has been gained for American interests.

Perfect religious freedom, sanctity of the flag - rights on high sea, and the mutual extradition of criminals have all been arranged in the spirit of the project; and in addition the right to acquire and hold real estate, mining interests, and every other description of property, is briefly but amply secured to our Citizens in all the

Hon. William L. Marcy  
Secretary of State

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fulcrum enjoyed by native Dominicans.

It is also conceded that "Steam vessels employed in carrying the public mails of the United States shall have free access to the ports of the Dominican Republic to refit, to refresh, to land passengers and their baggage, and for the transaction of any business pertaining to the public mail service of the United States, and shall be subject in such ports to no other or greater delays, duties or charges than are imposed on the vessels of war of the Dominican Republic - unless freight is landed which will be subject to the customary duty on the same.

These stipulations will prove eminently beneficial to the Dominican people by inviting capital and skilled labor to their territory while they are no less certain and valuable advantages to our citizens, inasmuch as they place the immense mineral and agricultural resources of this rich island almost as completely within the scope of American industry and enterprise as if it were United States territory.

I have been obliged to defer the object of Art. 27 of the original project for future action. This is to me a painful necessity and the more painful because I am forced

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to admit this postponement, has been caused in a great measure by the unadvised precipitation of our own officers.

All the unfavorable consequences to which I alluded in my notes of 24<sup>th</sup> July and 8<sup>th</sup> and 19<sup>th</sup> of August - as likely to follow the premature visit of the Columbia to the Bay of Samana, and its reconnaissance by the United States Engineers before negotiations were properly commenced, have been unfortunately realized, to the most serious detriment of my Mission.

On the arrival of President Santana at the Capital to meet me, he found the report current that the U. S. Frigate Columbia was at Samana Bay with engineers on board making surveys, and that the Albany and a steamer were ordered to join her there. Sir Robert Schomburgk, H. B. M. Consul and Diplomatic Agent here, had also sent an express for a war steamer (as in effect the Devastation did come) to watch the movements of the Americans.

I had hoped to overcome these obstacles to a just understanding by patient and persevering explanations, and at one time every thing - a naval depot included -

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was agreed upon, but meanwhile the  
Destruction arrived for the second time  
and the British Consul declared the Do-  
minican Republic could have no peace  
with Hayti if a depot of any kind should  
be allowed to the United States.

Under these circumstances the Dominican  
government, feeling itself at the mercy  
of European policy, was forced to accede  
in this particular for the present - but  
it is only a postponement, not a final  
rejection, for the Dominicans are now con-  
vinced of the benefits which will accrue  
to the Republic from a closer intercourse  
with the United States.

The Dominican Congress adjourned be-  
fore the terms of the treaty could be ad-  
justed, but that body will be re-convened for  
the purpose, as soon as it is ready to be sub-  
mitted for ratification - upon which  
shall return with it for the consideration  
of my Government.

I have the honor to be Sir, very respectfully

Your obedient servant

William L. Cayman

Recd 6. Nov.

Mr. Marcy 7/2 ✓

San Carlos, Dominican Republic

Oct. 9<sup>th</sup> /54

Sir,

I have the honor to inform you that the Convention of Friendship, Commerce and Consular Rights between the United States and the Dominican Republic was signed the 5<sup>th</sup> instant on the basis indicated in my letter of Sept. 23<sup>d</sup> - a duplicate copy of which I herewith enclose.

The Dominican Congress is summoned to meet in extra session the 1<sup>st</sup> of November, when the Treaty will be ratified and I shall proceed with it immediately to Washington.

I have the honor to remain Sir,

Your most obedient servant

William L. Cayman

Hon<sup>d</sup> William L. Marcy  
Secretary of State

DuplicateSanto Domingo Sept 23<sup>d</sup> 1854

Sir,

I have the honor to inform you that after much delay and hesitation I am about concluding a treaty of friendship, commerce and extradition with the Dominican Republic.

The peculiar circumstances of this Government compelled me to vary somewhat the form and phraseology of the project furnished me but with <sup>one</sup> exception no important feature is changed while in some points much has been gained for American interests.

Perfect religious freedom, the sanctity of flag-rights on high sea, and the mutual extradition of criminals have all been arranged in the spirit of the project, and in addition the right to acquire and hold real-estate, mining interest and every other description of property is briefly, but amply, secured to our citizens in all the fulness enjoyed by native Dominicans.

It is also conceded that "Steam vessels employed

Hon<sup>ble</sup> William L. Marcy  
Secretary of State

in carrying the public mails of the United States shall have free access to the ports of the Dominican Republic to arrive, to refresh, to land passengers and their baggage, and for the transaction of any business pertaining to the public mail service of the United States and shall be subject in such ports to no other or greater delays, duties or charges than are imposed on the vessels of War of the Dominican Republic."

These stipulations will prove eminently beneficial to the Dominican people by inviting capital and skilled labor to their territory, while they are no less certain and valuable advantages to our citizens inasmuch as they place the immense mineral and agricultural resources of this rich island almost as completely within the scope of American industry and enterprise as if it were United States territory.

I have been obliged to defer the objects of Art. 2 of the original project for future action - This is to me a painful necessity and the more painful because I am forced to admit this postponement has been caused in a great measure by the unadvised principles of our own officers.

All the unfavorable consequences to which I allude in my notes of 24<sup>th</sup> July and 8<sup>th</sup> and 19<sup>th</sup> of August as likely to follow the premature visit of the Columbia to the Bay of Samaná, and its reconnaissance by the United States

engineer

engineers before negotiations were properly commenced, have been unfortunately realized to the most serious detriment of my mission.

On the arrival of President Santana at the Capital to meet me he found the report current that the United States Frigate Columbia was at Samana Bay with engineers on board making surveys, and that the Albany and a Steamer were ordered to join her there. Sir Robert Schomburgk, H. B. M. Consul and Diplomatic Agent here, had also sent an express for a War Steamer (as in effect the Devastation did come) to watch the movements of the Americans.

I had to overcome these obstacles to a full understanding by patient and persevering explanations and at one time everything - a Naval depot included - was agreed upon, but meanwhile the Devastation arrived for the second time and the British Consul declared the Dominican Republic could have no peace with Hayti if a depot of any kind should be allowed to the United States. Under these circumstances the Dominican Government, feeling itself at the mercy of European policy, was forced to recede in this particular - for the present -

But it is only a postponement, not a final rejection for the Dominicans are now convinced of the benefits which will accrue to the Republic from a closer intercourse with the United States.

The

717

The Dominican Congress adjourned before the  
 terms of the treaty could be adjusted but that  
 body will be reconvened for the purpose as  
 soon as it is ready to be submitted for ratifi-  
 cation - upon which I shall return with it for  
 the consideration of my Government -

I have the honor to be very respectfully  
 Your Obedient Servant

William L. Gagneau



719

1720

Santo Domingo Nov<sup>r</sup> 23<sup>d</sup> 1854

#  
Sir

It is my unpleasant duty to inform you that the Dominican government has been coerced by the agents of the French and English governments to waive the ratification of the convention of Amity, Commerce, which it had invited from the United States, and which was negotiated and signed by its plenipotentiaries under the special direction of the Dominican Executive

The whole course of negotiations will prove that the Dominican government, when acting upon its own free-will, desires to pursue an independent and American line of policy

On the 7<sup>th</sup> of Sept<sup>r</sup> last all the articles of the Treaty were agreed upon, as I had the honor to inform you, on the basis of the original project - including a coal depot for our vessels - with the entire concurrence

Hon<sup>ble</sup> William L. Marcy,  
Secretary of State

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concurrence of President Santana - The next morning - the 8<sup>th</sup> was named for the final signing of the treaty by the Plenipotentiaries which was to be transmitted to Congress - then in session - for immediate ratification - But meantime H. B. M. S. Devastation arrived and the British Consul had forced an interview with President Santana at 7 in the morning - This Executive interview was followed by another with both the French and English Consuls at noon in full Cabinet, in which this government was informed the Emperor Faustin would not consent to a peace if the treaty with the United States was carried into effect and that France and England would also withdraw their protection and leave the Dominican territory and people at the mercy of Haiti - Thus constrained by the three Powers - for Haiti alone would not be feared by Dominica - President Santana was induced to sign the treaty -

The next day Sep<sup>r</sup> 9<sup>th</sup> I had an important conference with <sup>the</sup> President in which, after alluding to the embarrassing position of the Republic with regard to the three Powers, he expressed an earnest desire to perfect the treaty in all its parts - provided the Dominican Republic could be assured of the protection of the United States

After the Devastation left Santa Domingo,

this

722

This government made some explanations and negotiations were resumed, but with a manifest anxiety on the part of all the leading Dominicans that the treaty should be concluded and the ratification returned from the United States before England and France should have time to ripen their measures and endanger the existence of the republic - In view of the critical situation of this young American State I consented to modify the treaty as to take from the European powers every possible pretext for executing their, to me evident, plan of subjecting the Dominican Republic to Hayti -

On the Fifth of October this modified treaty was signed by the Dominican plenipotentiaries, but in the meantime Congress had closed its regular session - It had however been summoned to meet on the first of November when I was positively assured by this government - and I have not the slightest doubt in absolute good faith - the treaty would at once be ratified -

Oct 27<sup>th</sup> M<sup>r</sup> Raybaud, the French Charge, d'Affaires at Port au Prince, arrived from Hayti and the rumour instantly became current that a large squadron was on its way to Santo Domingo to put an end to the treaty with the United States

H. B. M. Kramer Bouzard had preceded him some days and on the 28<sup>th</sup> the day after M. Raybaud's arrival - The British Consul formally notified the Dominican government

723

government that he was instructed by Lord Clarendon to inform us of the disapprobation with which His Majesty's government learned that "notwithstanding the advice" offered by France and England President Santarén had thought proper to negotiate a "treaty with the United States by which the safety and welfare of the Republic would be greatly <sup>and immediately</sup> endangered" and adds - always in the name of Lord Clarendon - "such arrangements should not have been made without their knowledge and sanction; particularly with a power which has <sup>hitherto</sup> refused to acknowledge the independence of the Dominican Republic and the sudden and presumptuous character of whose proceedings must cause wellfounded suspicions of its ulterior objects".

Nov 7<sup>th</sup> I visited Vice President Regla Mota, who in the temporary absence of the President held the Executive power, and called his attention to the general belief that Mr. Raybaud on the part of <sup>France</sup> and Hayti were taking threatening ground against the ratification of the treaty - He admitted in effect the interference of the three Powers but implied the Dominican Government would not be intimidated by their menaces from completing its engagements with the United States. He also expressed much annoyance at an insult publicly offered by Mr. Raybaud to a member of the Dominican Cabinet on a subject nearly touching the domestic peace.

peace and independence of the Republic.

Nov<sup>r</sup> 9<sup>th</sup>. Accompanied by Mr. Elliot, the United States Commercial Agent, I called on President Sardaña who had just returned to the Capital, and he repeated his promise to send in the treaty for ratification as soon as there should be a quorum - and then but one Senator was wanting - expressing no manner of doubt or hesitation as to the benefits which would accrue to his Country from closer relations with the United States.

Nov<sup>r</sup> 10<sup>th</sup>. A French Steamer anchored in front of the town and the approach of a French squadron was immediately announced -

Nov<sup>r</sup> 12. The President of the Dominican Senate, Don Benigno de Rojas, called and informed me that Congress had obtained a quorum - In discussing the ratification of the treaty, he did not deny the interference of the agents of France and England - for being the intimate and confidential friend of the British Consul he could not but know the fact - but he implied his belief, though by no means a firm certainty, that they would fail in their object -

Nov<sup>r</sup> 13<sup>th</sup>. A French Frigate and Sloop of War joined the Steamer at anchor in front of the City and it was reported a large additional force was ordered to unite with them before Santo Domingo -

Nov<sup>r</sup> 16<sup>th</sup>. I had sure intelligence that the Dominican government was so much intimidated by the attitude of the

of the three powers that neither the Cabinet nor Congress would venture to act upon the treaty in defiance of Lord Clarendon's letter and the verbal protests of Mr. Raybaud who whether accredited or not is positively the acting envoy of France and Spain to this Republic. Upon this I addressed a letter to the Dominican Government (copy enclosed herewith marked A.) enquiring when it was proposed to send the treaty to Congress for ratification. Congress adjourned the same afternoon.

Nov. 17<sup>th</sup> I addressed a note to the Consuls of France and England (copy enclosed marked B.) protesting against this interference in affairs and negotiations pertaining exclusively to the United States and the Dominican Republic. This may seem a decided step but I shall exhibit proof that I was forced to adopt this course in justice to my Country. On the same day the Dominican Government replied to my note of the 16<sup>th</sup> by a positive promise that the treaty should be sent in for ratification on the 27<sup>th</sup> of Nov<sup>r</sup> when Congress would be reconvened. Which however I am confident will not be done - or be done only in the mode and interest dictated by the French and English agents, if the eighty four guns of the French Squadron continue to bombard the Dominican Capital - at that date.

Nov. 18<sup>th</sup> I answered the note of the Dominican Government in reply to mine of the 16<sup>th</sup> (enclosed marked C) On the same day I received brief notes from the Consuls of France and England, denying nothing and admitting nothing,

726

nothing, but informing me they would transmit my note of this<sup>d</sup> to their respective governments.

This Sir is an exact account of our present relations with this Republic and if it were a stronger power my course of duty would be very obvious: But in this case it appears more just to await with forbearance the final action of the Dominican Government and I feel an extreme reluctance to abandon this post at a crisis which must decide whether the Dominican Republic is or is not to exist as an independent American State.

I have the honor Sir to be

Yours very Obedient Servant  
William L. Wagner

127

(B)

732

Copy

Santo Domingo Nov. 17<sup>th</sup> 1854

Sir

The undersigned, Commissioner Plenipotentiary of the United States <sup>new this government</sup> of America, having good reason to know that the Agents of France and England have by various means aided by the menacing display of an armed force before this Capital over-awed and controlled the free action of the Dominican Republic in its relations with the United States, hereby protests in the name of his Country, against this breach of honorable faith towards his government and against this unwarrantable encroachment upon the sovereign rights of an independent American power.

Every enlightened Government in amity with the United States, is perfectly informed of their determined purpose as a nation to oppose whatever measure may be intended to subject the independent nationality of an American people to the arbitrary will of a foreign power or make its action and even existence - dependant on the dicta of a foreign policy; and none of those nations have taken exception to this immutable principle of the American system.

The United States makes no difference in

733

the application of this rule between the strong and the weak of their sister Republics and they had a just right to expect the powerful and magnanimous Nations of Europe will follow their example.

These facts being so well understood I must call your particular attention, Sir, to this inordinate violation of the relations of amity and alliance now subsisting between our respective countries in the trust that you, as the responsible representative of your Government at this Capital, will use the necessary precautions to guard those relations from further disturbance.

If this due care should be omitted the Government and people of the United may conceive have just cause to distrust the sincerity and good faith of any Government whose Agents in the waters are thus permitted to interfere in affairs and negotiations belonging entirely and exclusively to the interest of the United States and the Dominican Republic and I am confident that you, Sir, will regret equally with myself the consequences which might result from this unauthorized interfering with the sanctity and freedom of international relations.

Respectfully Yours  
William L. Garrison

(A.)

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735-

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TranslationSanto Domingo Nov<sup>r</sup>. 16<sup>th</sup> 1854

Sir

It is now six weeks since the Plenipotentiaries of the United States of America and the Dominican Republic definitely agreed upon and finally affixed their signatures to the Treaty of Friendship Commerce &c between the two Republics.

The articles of this Convention had been maturely considered and approved by the Executive Power before they were signed. Some of them were introduced, and others modified, at the special request of His Excellency President Santana, and the undersigned was therefore not only certain of the entire concurrence of the Executive Power in the terms and spirit of the Convention, but had besides the personal assurance of the President that the Treaty would be sent to Congress for ratification as soon as there should be a quorum.

The Congress of the Republic has now been some days in full session and I feel con-

His Excellency

Juan N. Feyta Minister of Foreign Affairs  
Dominican Republic

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strained to enquire when it is proposed to submit  
the Treaty for ratification

I am far from supposing the Dominican  
government intends any discourtesy to that of  
United States and much less can I believe in-  
-capable of refusing the sincere and disinterested  
friendship of the sister Republic: Neither am  
willing to believe the display of a strong Naval force  
before the walls of your Capital will in any way  
impeach the free action of an independent American  
government; although I am perfectly aware  
certain European agents have ventured a  
-arrogant interference in affairs pertaining  
exclusively to this Republic and the United  
-but as inconveniences may arise from continued  
delays - I must request request of your Excellency  
to inform me when I may reasonably expect  
the conclusion by the Dominican Republic  
the act which we hope will forever bind our  
-pective nations in firm friendship and in-  
-labile peace -

Permit me to renew to you Sir my as-  
surances of the highest respect and consideration

William L. Gagne

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Translation

San Carlos Nov<sup>r</sup> 18<sup>th</sup> 1852

Sir

In reply to the note which I had the honor to receive yesterday from your Excellency. I can only say that the ratification of the treaty at the period alluded to, will be a gratifying evidence that the Dominican Republic sincerely responds to the true and loyal friendship of the United States.

I enclose a copy of the protest I deemed it necessary to address to the Consuls of France and England which will explain the present position of our relations.

I beg leave to assure you Sir - of my high and unalterable esteem

William L. Cabreanu

To His Excellency

Juan N. Tyra Minister of Foreign Affairs  
Dominican Republic

#

# Recd 27 Decr.

678

Duplicate

Begin

Begin  
Santo Domingo Nov 23/54

Sir

It is my unpleasant duty to inform you that the Dominican government has been coerced by the agents of the French and English governments to waive the ratification of the Convention of Amity, Commerce &c which it had invited from the United States, and which was negotiated and signed by its plenipotentiaries under the special direction of the Dominican Executive.

The whole course of negotiations will prove that the Dominican government, when acting upon its own free will, desires to pursue <sup>an</sup> independent and American line of policy.

On the 7<sup>th</sup> of Sep<sup>r</sup> last all the articles of the Treaty were agreed upon, as I had the honor to inform you, on the basis of the original project - including a coal deposit for our vessels - with the

Hon William L. Macey,  
Secretary of State

entire concurrence of President Santana - The next morning - the 8<sup>th</sup> was named for the final signing of the treaty by the Plenipotentiaries, which was to be transmitted to Congress - then in session - for immediate ratification - But meantime H. B. M. Kearney's devastation arrived and the British Consul had forced an interview with President Santana at 7 in the morning - This Executive interview was followed by another with both the French and English Consuls at noon in full cabinet in which this government was informed the Emperor Austin would not consent to a peace if the treaty with the United States was carried into effect and that France and England would also withdraw their protection and leave the Dominican territory and people at the mercy of Hayti - Thus constrained by the Three Powers - for Hayti alone would not be feared by Dominica President Santana was induced to sign the treaty.

The next day Sep<sup>r</sup> 9<sup>th</sup> I had an important conference with the President in which after alluding to the embarrassing position of the Republic with regard to the Three Powers he expressed an earnest desire to perfect the treaty in all its parts - provided the Dominican Republic could be assured of the protection of the United States.

End

After the Devastation left Santo Domingo this Government made some explanations and negotiations

negotiations were resumed, but with a manifest anxiety on the part of all the leading Dominicans that the treaty should be concluded and the ratifications returned from the United States before England and France should have time to ripen their measures and endanger the existence of the republic. In view of the critical situation of this young American State I consented so to modify the treaty as to take from the European powers every possible pretext for executing their too evident plan of subjecting the Dominican Republic to Hayti.

On the fifth of October this modified treaty was signed by the Dominican plenipotentiaries, but in the mean time the Congress had closed its regular session. It had however been summoned to meet on the first of November when I was positively assured by this Government - and I have now the slightest doubt in absolute good faith - the treaty would at once be ratified.

Oct. 27 M. Raybaud, the French Charge d'Affaires at Port au Prince, arrived from Hayti and the rumour instantly became current that a large squadron was on its way to Santo Domingo to put an end to the treaty with the United States.

H. B. M. Steamer Buzzard had preceded him some days and on the 28<sup>th</sup> the day after M. Raybaud's arrival - the British Consul formally

notified the Dominican government that he was instructed by Lord Clarendon to inform it of the disapprobation with which Her Majesty's government learned that "notwithstanding the advice" offered by France and England President Santana had thought proper "to negotiate a treaty with the United States by which the safety and welfare of the Republic would be greatly and immediately endangered" and he adds - always in the name of Lord Clarendon - "Such arrangements should not have been made without their knowledge and sanction" particularly with a power which has hitherto refused to acknowledge the independence of the Dominican Republic, and the sudden and peremptory character of whose proceedings must cause well-founded suspicions of its ulterior object"

Nov<sup>r</sup> 7<sup>th</sup>, I visited <sup>viceroy</sup> President Regla Mota, who in the temporary absence of the President held the Executive power, - and called his attention to the general belief that M. Raybaud - on the part of France and Hayti, and Sir R. St. Schomburgk - on the part of England, were taking threatening ground against the ratification of the treaty. He admitted in effect the interference of the three powers but implied the Dominican government would not be intimidated by their

menaces from completing its engagements with the United States. He also expressed much annoyance at an insult publicly offered by M. Boylston to a member of the Dominican Cabinet, on a subject nearly touching the domestic peace and independence of the Republic.

Nov<sup>r</sup> 9<sup>th</sup> Accompanied by Mr. Elliot, the United States Commercial Agent, I called on President Santana, who had just returned to the Capital, and he repeated his promise to send in the treaty for ratification as soon as there should be a quorum - and then but one Senator was wanting - expressing no manner of doubt or hesitation as to the benefits which would accrue to his country from closer relations with the United States.

Nov<sup>r</sup> 11<sup>th</sup> A French Steamer anchored in front of the town and the approach of a French squadron was immediately announced.

Nov<sup>r</sup> 12<sup>th</sup> The President of the Dominican Senate, Don Benigno de Rojas, called and informed me that Congress had obtained a quorum - In discussing the ratification of the treaty he did not deny the interference of the agents of France and England - for being the intimate and confidential friend of the British Consul he could not but know the fact - but he implied his belief, though by no means a firm certainty, that they would fail

fail in their object

Nov<sup>r</sup> 13<sup>th</sup> A French Frigate and Sloop of War joined the Steamer at anchor in front of the City and it was reported a large additional force was ordered to unite with <sup>them</sup> before Santo Domingo.

Nov<sup>r</sup> 16<sup>th</sup> I had some intelligents that the Dominican government was so much intimidated by the attitude of the three powers that neither the Cabinet nor Congress would venture to act upon treaty in defiance of Lord Clarendon's letter and the verbal protests of M. Raybaud who whether accredited or not - is positively the acting envoy of France to this Republic - Upon this I addressed a letter to the Dominican government (copy enclosed) with marked A inquiring when it was proposed to send the treaty to Congress for ~~consideration~~ for consideration - Congress adjourned the same afternoon.

Nov<sup>r</sup> 17<sup>th</sup> I addressed a note to the Consuls of France and England (copy enclosed marked B) protesting against this interference in affairs and negotiations pertaining exclusively to the United States and the Dominican Republic - This may seem a decided step, but I shall exhibit proofs that I was forced to adopt this course in justice to my Country.

On the same day the Dominican government replied to my note of the 16<sup>th</sup> by a positive promise

that the treaty should be sent in for ratification on the 27<sup>th</sup> of Nov<sup>r</sup> when Congress would be convened; - which however I am confident will not be done - or be done only in the mode and intent dictated by the French and English agents if the eighty four guns of the French Squadron continue to command the Dominican Capital

Nov<sup>r</sup> 18<sup>th</sup> I answered the note of the Dominican government in reply to mine of the 14<sup>th</sup> (enclosed marked C) - On the same day I received brief notes from the Consuls of France and England, saying nothing and admitting nothing, but informing me they would transmit my note of the 17<sup>th</sup> to their respective governments

This Sir is an exact account of our present relations with this Republic and if it were a stronger power my course of duty would be very obvious: But in this case it seems more just to await with forbearance the final action of the Dominican Government as I feel in extreme reluctance to abandon this Post at a crisis which must decide whether the Dominican Republic is, or is not, to exist as an independent American State

I have the honor Sir to be

Your very Obedient Servant  
William S. Casneau

(A)

686

Duplicate

translation

Santo Domingo Nov<sup>r</sup> 16<sup>th</sup> 1854

Sir

It is now six weeks since the Plenipotentiaries of the United States of America and the Dominican Republic definitively agreed upon and finally affixed their signatures to the treaty of friendship, commerce &c between the two Republics.

The articles of this Convention had been maturely considered and approved by the Executive Power before they were signed. Some of them were introduced, and others modified, at the special request of His Excellency President Santana, and the undersigned was therefore not only certain of the entire concurrence of the Executive power in the terms and spirit of the convention but, besides the personal assurance of the President that the treaty would be sent to Congress for ratification as soon as there should be a quorum.

The Congress of the Republic has now been

to His Excellency

Juan N. Tejeda Minister of Foreign Affairs  
Dominican Republic

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been some days in full session and I feel constrained to enquire when it is proposed to submit the treaty for ratification.

I am far from supposing the Dominican government intends any discourtesy to that of the United States, and much less can I believe it capable of abusing the sincere and disinterested friendship of the United States. Neither am I willing to believe the display of a strong naval force before the walls of your capital will in any manner impeach the functions of an independent American Government. — Although I am perfectly aware that certain European agents have ventured an arrogant influence in affairs pertaining exclusively to the Dominican Republic and the United States but as inconveniences may arise from continued delays — must request request of your Excellency to inform me when I may reasonably expect the conclusion by the Dominican Republic of the act which I hope will forever bind our respective nations in firm friendship and inviolable peace.

Permit me to renew to you Sir my assurances of the highest respect and consideration.

William L. Gage

688

DuplicateCopySanto Domingo Nov 17<sup>th</sup> 1852

Sir

The undersigned Commissioner Plenipotentiary of the United States of America <sup>near this Government</sup> having good reason to know that the Agents of France and England have by various means - aided by the menacing display of an armed force before this Capital - over-awed and controlled the free action of the Dominican Republic in its relations with the United States, hereby protests in the name of his Country, against this breach of honorable faith towards his Government and against this unwarrantable encroachment upon the sovereign rights of an independent American power.

Every enlightened government in amity with the United States is perfectly informed of their determined purpose, as a nation to oppose whatever measure may be intended to subject the independent nationality of an American people to the arbitrary will of a foreign power, or make its action - and even existence - dependent on the dicta of a foreign policy; and none of those nations have taken exception to this immutable principle of the American System.

The United States makes no difference in the application of this rule between the strong and the weak of their sister republics and they have a just

right to expect the powerful and magnanimous  
of Europe will follow their example

These facts being so well understood I  
call your particular attention Sir to this inconsiderate  
violation of the relations of amity and commerce  
subsisting between our respective countries in the  
that you, as the responsible representative of your  
government at this Capital, will use the necessary  
precautions to guard those relations from further  
disturbance

If this due care should be omitted, the government  
and people of the United States may conceive the  
just cause to distrust the sincerity and good faith  
of any government whose agents in these waters  
are thus permitted to interfere in affairs and nego-  
ciations belonging entirely and exclusively to the  
interests of the United States and the Dominican  
Republic. I am confident that you Sir would  
regret equally with myself the consequences that  
might result from this unauthorized inter-meddling  
with the sanctity and freedom of inter-American  
relations

Yours Respectfully

William L. Gagneau

(6)

694

# Duplicate  
Translation

San Carlos Nov<sup>r</sup> 18<sup>th</sup> 1854

Sir

In reply to the note which I had the honor to receive yesterday from Your Excellency I can only say that the ratification of the Treaty at the period alluded to will be a gratifying evidence that the Dominican Republic sincerely responds to the true friendship of the United States.

I enclose a copy of the protest I deemed it necessary to address to the Consuls of France and England which will explain the present position of our relations.

I beg leave to assure you Sir of my high and unalloyable esteem

William L. Gagneau

His Excellency

Juan N. Tejeda Minister of Foreign Affairs  
Dominican Republic

44

Re: G. J. J. J.

Mr. Mackay

698

San Carlos Dec 6<sup>th</sup> 1854

Sir

Under date of Nov<sup>r</sup> 23<sup>d</sup> I had the honor to transmit a statement of the unfortunate check imposed by the Diplomatic Agents of France and England upon the ratification of the treaty I had negotiated and signed on the part of the United States with the Dominican Republic.

I then informed my government, upon sure data and my own knowledge, that from the period in which the interference and protests of those agents were sustained by the presence of a strong naval force, the Dominican Government has been in duress, and all its actions with regard to the United States has been shaped under the dictation of M. Raybaud, the joint representative of France and Hayti at this Capital. He assisted and assisted to the best of his capacity by H. B. M. Consular Agent.

This treaty was negotiated with the Dominican government alone, but the undue intervention of France and England in its conclusion has so changed its conditions and guarantees that the contract became vitiated, if not void, and

To continue

Wm. L. Marcy

Secretary of State

to continue action upon it in the name of the Dominican Republic as if it were a free and uncontrolled power, would be a fraud upon my government.

When these facts were confirmed to me beyond the possibility of doubt, and when several members of the Dominican Congress gave me proofs that this foreign dictation would be as absolute over that body as it had been over the Executive, I felt it was due to the honor of my country not to submit its negotiations to such unwarrantable action.

I therefore notified the Minister of Foreign Relations Nov<sup>r</sup> 26<sup>th</sup> that "I withdraw for the present from the further action of the Dominican Government the Convention of Recognition, Friendship &c now pending between our respective Nations."

"Under circumstances which have recently come to knowledge this Convention must remain in abeyance until the government of the United States can demand certain explanations and decide whether it is consistent with American principles to submit it for ratification."

Nov<sup>r</sup> 27<sup>th</sup> The Dominican government replied by enquiring whether I intended withdrawing the treaty altogether as in any other case it had the right by international law to submit it to Congress - Not wishing to put on written record the whole harsh, offensive truth of the subjugation of the Dominican Executive, I explained verbally to the Minister of Foreign Relations my perfect knowledge of the facts and also of the circumstance that this very reply of Nov<sup>r</sup> 27<sup>th</sup> was written under the direction of

M. Bayle

M. Raynaud and the fear of the fire <sup>break</sup> of War now before the Capital; and therefore the United States must <sup>be</sup> to recognize or negotiate with the Dominican Government while it continued under this duress.

I wished to leave this treaty in abeyance and refer the case to my government for advisement.

Notwithstanding this it was in a few days publicly known and declared in the streets of Santo Domingo that the French and English agents had resolved the treaty should be presented to Congress in defiance of my protests; and the form and substance of the offensive mutilations and additions which that body was ordered to make were written upon the margin of printed copies of the treaty and circulated a week beforehand from the French and British Consulates. Till until Dec<sup>r</sup> 3<sup>d</sup> I had no official notice that this government would lend itself to the purposes of the Diplomatic agents of France and England, in a form to secure them from responsibility and draw upon itself the just resentment of the United States for its evasions and duplicity. On that day I was informed the treaty had been actually presented to Congress. The next morning I addressed a Note (Copy herewith enclosed) to the Dominican government to which I have not yet received any reply. The day following Dec<sup>r</sup> 5 Congress passed a mutilated caricature of the treaty so opposite to the spirit and intent of the original Convention that it could not under any possible circumstances be entertained by my government.

Trusting that the <sup>measures forced upon me by the</sup> intricate and embarrassing situation in which I found myself, may meet the approbation of my government

I shall

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I shall remain and await further orders. If I were to retire now many of the best men of the country who have taken an active part in favor of the American treaty would be immediately sacrificed. The Powvenir, a moderate and irrefragable paper was suppressed at the command of M. Raybaud for publishing only a few sentences in advocating the American treaty, and the editor narrowly escaped imprisonment.

A number of respectable white families are preparing to leave the island if it is abandoned by the United States, for no intelligent person here doubts that the object of this pushing European interference is to subject the Dominican Republic to the Empire of Hayti.

With great respect - Sir

I have the honor to be

Your Obedient Servant

William L. Cayne

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copy

702

Santo Domingo Dec<sup>r</sup> 4<sup>th</sup> /54

Sir

I am under the painful necessity of announcing to your Excellency that the extraordinary indignity which President Santana has been induced by foreign dictation aided by domestic treason - to offer to my government, compels me to withdraw entirely from the farther consideration and control of the Dominican Executive the treaty of recognition and friendship which was negotiated - but in no form completed on the part of our respective Countries.

I must also inform your Excellency that my instructions and powers were not to cease until I had placed the treaty ratified by the Dominican Republic in the possession of my government, and had thus declared on the faith of my official appointment that this was in fact and in truth an independent American State - no longer believing this to be true, and having besides but too many evidences of an intention to subject the Dominican people to the despotism of Hayti, contrary to their will - to which if this were a recognized American power in amity with our Country the American people would never consent - I am constrained to declare to your Excellency in the name of my government that no treaty of recognition exists, or can exist with the Dominican Rep<sup>l</sup> under the present circumstances.

I must be permitted to remind your Excellency that my Country has the right by the laws of nations to enforce by all the means in its power the satisfaction and redress which the United States is now forced to demand for the singular equivocations and repeated injustice practices towards our Citizens and Government by the Dominican Executive.

I have the honor to offer to your Excellency the assurances of my distinguished consideration.

To His Excellency

William L. Cazneau

The Minister of Foreign Relations  
Dominican Republic

Recd 12 Jan'y  
Duplicate

704

San Carlos Dec 6<sup>th</sup> /54

Sir

Under date of Nov<sup>r</sup> 23<sup>d</sup> I had the honor to transmit a statement of the unfortunate check imposed by the Diplomatic agents of France and England upon the ratification of the Treaty I had negotiated and signed on the part of the United States with the Dominican Republic. I then informed my Government, upon sure data and my own knowledge, that from the period in which the interference and protests of these agents were sustained by the presence of a strong naval force the Dominican Government has been in duress and all its action with regard to the United States has been shaped under the dictation of M. Raybaud, the joint representative of France and Great Britain at this Capital, endorsed and assisted to the best of his capacity by H. B. M. Consular agent.

This treaty was negotiated with the Dominican government alone, but the undue intervention of France and England in its conclusion has so vitiated its conditions and guarantees that the contract is null and void, and to continue as it is in the name of the Dominican Republic, as

Hon<sup>ble</sup> William L. Marcy  
Secretary of State

uncontrolled power, would be a fraud upon my Government. When these facts were confirmed to me beyond the possibility of doubt, and when several members of the Dominican Congress gave me proofs that this foreign dictation would be as absolute over that body as it had been over the Executive, I felt it was due to the honor of my country not to submit its negotiation to such unwarrantable action. I therefore notified the Minister of Foreign Relations Nov. 24<sup>th</sup> that "I withdraw for the present from the farther action of the Dominican Government the convention of Recognition, Friendship & now pending between our respective Nations."

Under circumstances which have recently come to my knowledge this convention must remain in abeyance until the government of the United States can demand certain explanations and decide whether it is consistent with the American principles to submit it for ratification."

Nov. 27<sup>th</sup> the Dominican Government replied by enquiring whether I intended withdrawing the treaty altogether as in any other case it had the right by inter-national law to submit it to Congress.

Not wishing to put on written record the whole harsh, offensive truth of the subjugation of the Dominican Executive, I explained verbally to the Minister of Foreign Relations my perfect knowledge of the facts and also of the circumstance that this very reply of Nov. 27<sup>th</sup> was written under the direction of M. Raybrard and the fear of the French cannon before the Capital and therefore the United States must cease to recognize or negotiate with the Dominican Government while

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while it continued under this auspice.

I wished to leave the treaty in abeyance and refer the case to my government for advisement.

Notwithstanding this it was in a few days publicly known and declared in the streets of Santo Domingo that the French and English agents had resolved the treaty should be presented to Congress in defiance of my protests; and the form and substance of the offensive mutilations and additions which that body was ordered to make were written upon the margin of printed copies of the treaty and circulated a week before the French and British Consulates. Still until I had no official notice that this government had itself to the purposes of the Diplomatic of France and England in a form to sciss from responsibility and draw upon itself the resentment of the United States for its was duplicity. On that day I was informed the treaty was actually presented to Congress.

I then addressed the note herewith enclosed the Dominican government to which I have received any reply. The day following Dec 5. I passed a mutilated caricature of the treaty, posite to the spirit and intent of the original convention that it could not under any possible stances be entertained by my government.

Trusting that the measures forced upon me in the intricate and embarrassing position in which I found myself, may meet the approbation of my government I shall remain here and awaiting orders.

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If I were to retire now many of the best men of the country, who have taken an active part in favor of the American treaty, would be immediately sacrificed. The providencia, a moderate and irreproachable paper, was suppressed at the command of M. Raybana for publishing only a few sentences in advocating the American treaty, and the editor narrowly escaped imprisonment.

A number of the respectable white families are preparing to leave the island if it is abandoned by the United States. For no intelligent person here doubts that the object of this persevering European interference is to subject the Dominican Republic to the Empire of Haiti.

With great respect I have the honor to be Sir

Your Very Obedient Servant

William L. Cazneau

Duplicate Copy  
translation

Santo Domingo Dec 4

Sir,

I am under the painful necessity of announcing to your Excellency that the extraordinary indignities which President Santana has been induced by foreign dictation - aided by domestic treason - to offer to my government, compels me to withdraw entirely from the further consideration and conduct of the Dominican Executive the treaty of recognition and friendship which was negotiated - but in no form completed - on the part of our respective Countries.

I must also inform your Excellency that my instructions and powers were not to cease until I had placed the treaty ratified by the Dominican Republic in the possession of my government and had thus declared on the faith of my official appointment that this was in fact and in truth an independent American State - no longer believing this to be true, and having besides but too many evidences of an intention to subject the Dominican people to the despotism of Hayti, severely against their will - to which if this were a recognized American

His Excellency

power

The Minister of Foreign Affairs

Dominican Republic

power in amity with our Country the American people  
would never consent - I am constrained to declare to  
Your Excellency in the name of my government that  
no treaty of recognition exists, or can exist with the Do-  
minican Republic, under the present circumstances.

I must be permitted to remind Your Excellency  
that my country has the right by the laws of nature  
to enforce by all the means in its power, the satisfaction  
and redress which the United States is now forced  
to demand for the singular equivocations and un-  
-ted injustice practised towards our citizens and  
government by the Dominican Executive.

I have the honor to offer to Your Excellency  
the assurances of my distinguished consideration.

William L. Cazneau

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San Carlos Dec<sup>r</sup> 16<sup>th</sup> 1852

# Private

Sir

I am just informed the Dominican Government is sending by an English vessel bound to the United States, copies of my correspondence & perhaps a copy of the Treaty of Oct<sup>r</sup> 5<sup>th</sup> as it came from Congress under the direction and with the amendments of Mr. Barbaud. I avail myself of the same conveyance to write privately that I am preparing to send on my official report sustained by the fullest and most incontestable proofs of foreign interference, even to the point of forcing a spurious ratification of the Treaty through Congress.

These proofs are drawn from the highest sources but I cannot endanger the lives of the most valuable men in this Republic who have thus compromised themselves out of a glorious desire to save American interests by entrusting them to any but undoubted and trustworthy hands. On this account I have selected Mr. A. Sando to proceed with them to the United States in the American brig Beinder which sails in a few days. Besides being an

honorable

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Hon<sup>ble</sup> William L. Marcy

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honorable and intelligent gentleman, Mr. Angulo is intimately acquainted with Dominican affairs and can give much timely and desirable information.

Among the documents I shall have the honor to transmit by him, I will only allude now to one <sup>(No 6.)</sup> from authority second to none in this Republic, which explains the incapacity of the present Congress to act upon the treaty as it was convened on the 27<sup>th</sup> ult. in the special capacity of a Convention to revise the Constitution and as such was divested of its Legislative and co-executive powers.

This ratification was a deceit as well as a discomfiture towards the United States and the weak equivocating course of the Dominican Executive deserves the severest reprehension.

I will add no more as the whole mass of facts and evidence will be in your hands almost perhaps quite as soon as this can reach Washington.

I have the honor to be, Sir

With great respect

Your very obedient servant

William L. Cayneau

From Consul Elliot to Mr. Casneau, Dated 16 Nov<sup>r</sup> 1854.  
(Strictly Confidential)

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Commercial Agency of the  
United States of America  
City of St Domingo November 16<sup>th</sup> 1854

Honorable  
Mr. A. Casneau  
Commissioner of the United States

Sir. \*

I am informed this day at 2 O'clock, by my  
Father in Law, the Minister of the Interior and L. N. Tejera  
the Secretary of State of this Dominican Republic, that  
"Maxime Ribaud, Consul General of France to Hayti,  
has prevented the President Santana from presenting  
the American Treaty to Congress, or, making any Treaty  
with our Government" This Mr. Ribaud has always,  
for the six years that I have resided here, been inter-  
fering in and governing the actions of this Government  
and from what I learn from the Ministers of this  
Government, the President is afraid to do any  
act, contrary to the wishes of Mr Ribaud on  
account of the French force now at anchor in this  
harbour.

Both the Ministers above referred to, were  
deeply mortified at the result of this business and  
stated "that they were ashamed to look Gen<sup>l</sup> Casneau  
in

in the face. I would moreover state  
 that yesterday at 2 O'clock in the evening  
 I met Mr Mateo Perdomo an influential  
 member in the Dominican Congress and in  
 conversation he remarked "that no Congress  
 existed since day before yesterday (the day of  
 the arrival of the French Squadron) as they  
 had been threatened with force and could  
 not act under the circumstances, this was in  
 reply to my asking him, "When the Congress  
 would act on the American Treaty In conclusion  
 I would add that I have conversed with three  
 other Representatives of the Dominican Congress  
 and they have answered me almost in the  
 same manner and certainly with the same  
 signification  
 I have the honor to be Sir

Most respectfully  
 Your Obedt. Servant  
 Jonathan Elliot  
 U.S. Comm<sup>d</sup> Agent

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Letter to John Quaker States  
Conquered Spirit  
Munro: Domingo 16

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472.

To His Excellency, General William L. Cagnieu, Commissioner Plenipotentiary  
of the United States to the Dominican Republic.

Sir.

In compliance with the desire Your Excellency expressed yesterday, that I write to you the facts come to my certain knowledge relative to the foreign intervention in the projected and already signed Treaty of Commerce, &c. between the United States and the Dominican Republic; and state at the same time what is, in my opinion, the public feeling in this City with regard to these facts, I must answer Your Excellency that my situation, as Director of the "Dominican Athenaeum", and the particular charge, conferred on me by this Government, of Secretary of the Plenipotentiaries appointed for the negotiation of the said Treaty have put me indeed — as Your Excellency well suppose — in continual intercourse with many of the most influential gentlemen of this City and given me, not only sufficient ground thoroughly whatever has happened since the beginning of the negotiations, but also to study and observe the impressions caused upon the people by the successive steps in this affair, and to judge rightly of what has been, and is now, the public opinion with regard to the history of the negotiations.

Your Excellency will allow me to confine myself to the mere relation of all that is well known to me by public notoriety, or by having heard it in no-secret conversations, and not to make any use of the few facts which may have come to my knowledge in private conversations of a character exclusively confidential.

That the "American Treaty" — as it is called in the City — flattered the hopes of Dominican People since the negotiations commenced; and that its definitive conclusion was earnestly desired by the Dominicans and anxiously solicited by the Government of this Republic; until ~~that~~ 8<sup>th</sup> of September — the day of the arrival of the British Steamer "Demostation" — these facts are so evident and so generally known through all this Republic, and Your Excellency has of them so many and so convincing proofs,

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that it is useless for me to insist upon them.

During the "Ordinary Sitting" of the Congress great wishes had been shown, not only by the entire population, but also by many of the members of the legislative body, that the Treaty should be signed before the closing of the "Session". No person in the City — as all knew then that the Government proposed and desired the Treaty — had any fear in saying openly that it was of the utmost importance to sign and ratify it during that "Sitting", because the arrival of ~~San~~ Domingo of Mr. Prayband, French Consul-general in Hayti, being imminent, no doubt that he would oppose the Treaty and threaten the Dominican Government with a new Haytian invasion and with the disgust and adverse feeling of the French and English Governments in such a manner as to render impossible the conclusion of the Treaty, though so useful to the interests of the Dominicans, unless this Government would consent, by signing it, to incur the dangerous enmity of the European Powers.

Many of those who knew the anxiety and curiosity, by no means disguised, with which the English Consul in this City was trying to become informed of whatever was done in the negotiations, and who saw the persons to him devoted, as well as the political friends of the French Consul, spreading more or less cautiously such alarming rumors as to debilitate the evident feeling of sympathy towards the United States common to all the classes of the Dominican People — very well knew that the mean object at which both Consuls aimed in that occasion was to delay the conclusion of the Treaty at least as long as the "Ordinary Sitting" was not closed; giving by these means sufficient time to the arrival of Mr. Prayband and of the French and English men of war, which, it was said, had to come with him.

Those rumors thus spread through the country were undoubtedly the reason which compelled the Dominican Government — who had accepted at first the whole of the Treaty, drawn originally in English, in its spirit and in the most important of its stipulations — to examine article by article in full Cabinet the Spanish translation of all of them weighing cautiously and maturely each of their words until he was fully ascertained that none of them could in any time give occasion to the dangers, to which, according those rumors, the Dominican Republic should be exposed by the adoption of the American Treaty.

Hence, for each of the articles many days were required, and though Your Excellency never rejected any of the changes proposed by the Dominican Plenipotentiary,

but accepted them "verbatim" as they were drawn by the said Plenipotentiaries after the opinion of their Government, nevertheless the Spanish translation of the Treaty could not be ready and thoroughly approved in its details until the 7<sup>th</sup> of September. On that day all the Plenipotentiaries having agreed upon every thing ordered all the Treaty to be copied and fixed the 8<sup>th</sup> of September to meet together to sign it. This would give time enough to send it to the "Ordinary Sitting" of the Congress in order the Legislature would ratify it; which certainly they should have done; for every body knows that at that moment the Treaty would not only obtain a "majority" but the almost "unanimity". — Such were then the Sympathies of the members of the Congress in favor of the Treaty, and so general the satisfaction of the people in seeing the conclusion of a Treaty so long desired.

But on the evening of the 7<sup>th</sup> of September appeared the British Steam "Devastation". On the 8<sup>th</sup> at seven o'clock in the morning the English Consul called on President Santana — as it is public and notorious in order to prevent the appointed signing of the Treaty, and on the same day he returned officially accompanied by the French Consul, and stated to the Government that he had received notes from the Minister of Foreign Affairs of Hayti, by which the Dominican Republic was threatened again with a new invasion of Faustin's army, which neither France nor England would oppose if the Treaty with the United States was concluded; for in such case they would withdraw their mediation.

On the evening of that same day the only talk in the City was the opposition officially made by the Consuls to the American Treaty; and it was the public rumor and belief that this would not be signed; because the Dominican Republic could not draw on herself the triple enmity of Hayti France and England confederated.

In fact, the Dominican Plenipotentiaries did not meet at the appointed conference to sign the Treaty as it was agreed upon.

On the following days the public opinion highly blamed and evidently condemned the prohibition imposed by the foreign Consuls on the Dominican Government and even those, who most had felt confident hitherto that the American Treaty would succeed, became discouraged as soon as they knew the means of the two Consuls and the interruption of negotiations which had been its immediate result.

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Then the rumor was spread that there was in the American Treaty something incompatible with the rights of France and England; and the Dominican People, who had placed all their hopes in a Treaty with the United States, so unanimously manifested how much they regretted to lose the opportunity of having it — whatever might be its terms and stipulations — that the Government was at last induced to relinquin the negotiations and to propose such changes as to destroy the Sophisms with which the party devoted to the French and English Consuls endeavored to make odious the American Treaty.

These changes were all accepted by the American Plenipotentiary; and though they could not be prepared in proper time to enter the Treaty into the Congress before the closing of the "Ordinary Sitting", even so no body could doubt that all difficulties being already overcome on the 25<sup>th</sup> of September — the day when the Congress adjourned — the calling of this legislative body to an "Extraordinary Sitting" for the 1<sup>st</sup> of next November had but for its principal object the ratification of the Treaty. This was finally signed by the three Plenipotentiaries on the 5<sup>th</sup> of October; and the wishes which President Santana had shown several times of having it ratified, as well as the anxiety of almost all the members of the Congress to give it their assent, being quite known to every body, all were entirely confident the Treaty would be sent to the Congress on the 2<sup>d</sup> of November and immediately ratified.

This general belief lasted a few days. But Mr. Raybaud came and his apparition suddenly deceived all the former calculations; destroyed all the hopes of the Dominican people, and turned their attention to the fortress of Sebastopol, which he announced as entered by the allied army — "in 2 hours and 20 minutes" — accepting therefore ovations from his friends, military salutes and public firing of artillery, and dinners and banquets, in requital of the ~~would be~~ unheard victory — whose wonderful details he specified and highly praised, although they never existed — and in reply to the compliments he received from his too credulous friends he only said — "We have already conquered Sebastopol; ... we will now turn our attention to the Yankees."

Though so notoriously false and so venturously spread by Mr. Raybaud, the self-styled "Victoire extraordinaire" could but make the Dominican Government believe that the victorious armies of France and England had become more and more dreadful to the weak Dominican Republic, should it call them to its territory as enemies.

Under this dreadful impression the Dominican Government received, on the next day after the arrival of Mr. Raybaud, a diplomatic note from the English Consul in which, according the instructions received, as he said, from Lord Clarendon, he stated how much

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Her Britannic Majesty's Government was astonished to learn that, notwithstanding the advice offered by the Representatives, in this City of the Mediating Powers, the Dominican Republic was negotiating a Treaty with the United States: he recalled the Services, which—as the English Consul said—had been made to this Republic by France and England, wherefore these two Nations were entitled to believe that no Treaty should be negotiated with the United States, "without their knowledge and sanction" so much the more as the peremptory character of the proceedings of the United States in this affair showed their further object—and he positively assured that the American Treaty would prove highly and immediately dangerous to the safety and welfare of the Dominican Republic.

Such a note translated into Spanish was read in many circles in the City, and became public. Since that moment the Dominicans had no other hope of seeing the American Treaty sent to the Congress but the firmness with which, they thought, President Santana would maintain the engagement he had taken, verbally and by writing, with the Plenipotentiary of the United States.

Nevertheless, as they saw the daily arrival of French and English men-of-war; as it was public and notorious that Mr. Raybaud in coming to Saint Domingo and displaying his naval force which menaced the City had had no other object than to destroy every Treaty with the United States; besides this, the newspaper "*El Porvenir*" having been suddenly suppressed, by suggestion of Mr. Raybaud, because it was going to publish the text of the American Treaty; and finally many printed copies of the said Treaty being in circulation, with amendments in the margin to some of its articles—amendments suggested by Mr. Raybaud and of such a character as to render impossible their adoption for the United States—all the Dominicans began to fear that whatever effort of their Government to bring to a satisfactory conclusion the ratification of the Treaty would become quite useless, unless it would consent to draw on the City the evils and damages which so strong a fleet could cause in very few hours, if the members of the Congress would not accept all the amendments generally and publicly called—"the Notes of Mr. Raybaud"—

In the meanwhile the Congress had met in "Extraordinary Session" and as soon as there was "quorum" the Government sent to their revising a new "Political Constitution"—but not so the American Treaty for ratification, though all the members had come to the Capital on the firm belief that this ratification would be the first and most urgent of the tasks submitted to the "Extraordinary Session".

Days were going over. The Treaty was not sent. On the contrary it was circulated through the City with the "Notes of Mr. Raybaud" and known to the Dominicans and pointed out without any reserve were the names of the members of the Congress

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charged by Mr. Raybaud with proposing and sustaining, on the day of the discussion, each of his amendments. This was not a secret. Nobody was ignorant of it. So that every one said that, either the Treaty would not be sent, or if so, the Government would not enter it into the Congress, but with the certainty that the "notes of Mr. Raybaud" would be proposed and adopted; because in both cases, the indignation of the French and English Consuls should be avoided, and the City thus freed from the evil with which the permanent fleet was continually threatening it.

The 25<sup>th</sup> of November arrived. The Treaty had not yet been sent. But the Congress had already declared themselves "Constituent Assembly - for revising the Constitution"; and therefore they were unable to ratify any Treaty of Commerce. They proved to the people how many had been the intrigues of Mr. Raybaud and of the English Consul, and how dreadful the terror caused to this Government by their menaces and the cannon-mouths with which they enforced them.

On the next day, the 25<sup>th</sup> of November, the Dominicans became aware of the diplomatic note by which Your Excellency withdrew the American Treaty from any further action of the Dominican Government until the United States should send new instructions.

After this measure it became undoubted by all the Dominicans that the negotiations would remain for a while in statu quo; and that the Government would not by any means dare enter the Treaty into the Congress; in much the more as whatever resolution the Legislative Body might take, - ratifying the Treaty or not - would be according to the Constitution null and void.

But on the evening of the 29<sup>th</sup> a long meeting took place, at Mr. Alfau's house, between President Santana, Mr. Raybaud, and the <sup>two</sup> Ministers Lavastada and Alfau: and on the 30<sup>th</sup> President Santana announced to his Cabinet that he had resolved to send the Treaty to the Congress, that it might be returned back to the Executive with the amendments. According to this order of President Santana the Treaty was entered on the 2<sup>d</sup> of December. The Congress named a "Committee" to examine it, a part of whose members were the same whom people pointed out beforehand as those charged by Mr. Raybaud with proposing and sustaining his "notes."

On the 4<sup>th</sup> of December it was known through the city that Your Excellency had reiterated his protest and told the Government that under the present circumstances no Treaty existed - nor could exist - with the United States. People remained in expectation, anxious to know what should be the issue of this affair.

Their anxiety lasted not very long. On the next day the "Committee" offered to the Congress Mr. Raybaud's amendments and a few others of the most insignificant importance. Without waiting for the third reading of the Treaty, nor for the interval of 180

days, prescribed by the Regulations of the Congress, the discussion was suddenly and unconstitutionally called in, many members who were known as opponents to the plans of Mr Playband being absent or unprepared, and also in the absence of the Minister of foreign Relations, who, as a Plenipotentiary for the Treaty better than any else could and would sustain it. In a very few hours of disorderly and unparliamentary discussion the Congress resolved to send back the Treaty to the Executive, with most of the amendments proposed by the "Committee."

Since that time nothing else is spoken about but leaving some men-of-war of the fleet here present, and near coming of many others, French as well as English. Many conjectures are made with regard to the object that Mr Playband and the English Consul may propose to themselves in calling to this Harbour a fleet of so formidable force. But whatever this object may be every one is certain that they intend to oblige by threatening the Dominican Government to continue under the tutorage and direction of Mr Playband, whose universal power over this Government is a fact so undeniable, so evidently proved to all the Dominicans, that among them there will not be found one in each hundred who is not aware of it, who does not repeat it in the circle of his intimate friends, and who would not be ready to testify it under his signature, but for the certainty that, if his testimony would be known, Mr Playband would oblige President Santana, willing or not, to exile him out of the Republic. For this very reason and on account of the terror with which they look at the almighty power of Mr Playband, though all the facts mentioned in this letter are evident to all the Dominicans, they complain of them secretly, they lament them, they hope that the United States will help them to throw off the yoke which "in fact" not "in law" France and England have imposed upon them: nevertheless they dare not utter publicly their complaints for fear of being exiled on the following day, thus bequeathing to their wives and children widowhood, orphanism, and misery.

This is, in summary, according to my opinion, the real truth of the facts, as they happened on the last month. All of them are public, and the opinion with regard to them which I have exposed to Your Excellency is undoubtedly the general opinion of the Dominicans.

I am Sir with feeling of the highest consideration

Your most respectful and obedient servant

J. Debrin.

S. Domingo the 16<sup>th</sup> of December 1854.

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No. 4.

Antiquities of the Society  
of the Dominican Monks  
Santa Domingo Dec 16<sup>th</sup>

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S<sup>to</sup> Dom.<sup>o</sup> 14 Diciembre 1854

Muy apreciado Sr.

Contestando la grata de V. de esta fecha, Debo decirle, q.<sup>e</sup> reunido el Congreso Constituyente Dominicano, en virtud del Decreto expedido por él en 16 de Noviembre último, con el único objeto de revisar la Constitución del Estado, previas las formalidades prescritas por los artículos 77, inciso 13.<sup>o</sup>, 150, 151, y 152 de la misma, es incontestable q.<sup>e</sup> no podía ni debía ocuparse de otro asunto q.<sup>e</sup> de aquel especialmente indicado en su Decreto de convocación; sin q.<sup>e</sup> obste cualquiera resolución en contrario por parte del Poder Ejecutivo; porque, aunque es cierto q.<sup>e</sup> por el art.<sup>o</sup> 77, atribución 11.<sup>a</sup> tiene este Poder

Sr. General Sr. L. Casnean.

la facultad de "Convocar al Cuerpo Legislativo para sesiones extraordinarias en caso de absoluta necesidad, la q.<sup>a</sup> debe expresarse en el Decreto de convocatoria", no lo es menor q.<sup>a</sup> esa facultad tiene sus límites y cesa desde el momento en q.<sup>a</sup> impune el Congreso del motivo de su reunión extraordinaria, procede o' decreta en uso de sus atribuciones peculiares; como en el caso de q.<sup>a</sup> se trata. Y no se arguya con q.<sup>a</sup> el Cuerpo es soberano y hábil p.<sup>a</sup> obrar ad libitum en todas ocasiones, como pretenden algunos; porque los tres Poderes del Estado son igualmente responsables al abuso de la soberanía q.<sup>a</sup> les está delegada, y porque ninguno de ellos puede ejercer uno dentro del círculo, mas o' menos estrecho, q.<sup>a</sup> le traza la misma Constitución Artículos 26 y 27.

De lo dicho se desprende naturalmente, q.<sup>a</sup> aplazado el actual Congreso p.<sup>a</sup> el 27 del mes vencido, afin de ocuparse

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De un objeto determinado, (la revision de la  
Constitucion) todo cuanto haya hecho o hiciera  
fuera de un objeto, lleva el sello de la  
inconstitucionalidad, y p<sup>o</sup> lo tanto es irrita  
y nulo: tal es mi opinion.

Al transmitirla a V. francamente  
conforme a sus deseos, y confidencialmente  
segun lo exigen las actuales circunstancias,  
la pongo bajo la salvaguardia de su cono-  
cida Discrecion.

Me cabe la honra de repetirme,  
De V.

Muito servidor L. A. S. M.

M. V. Delmonte

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of the appearance to our  
of the American Republics  
South America to be 1832

Mr. William L. Carneau.

Presente.

Santo-Domingo Diciembre 25. 1854.

Estimado Señor.

V. desea que yo le manifieste por escrito mi opinion respecto á las causas que han entorpecido la marcha del Tratado de Amistad, Comercio &c. negociado entre esta República y los Estados Unidos de America dignamente representados por V.; así como tambien el motivo de la conducta observada respecto del mismo por el Congreso Dominicano; y yo voy á complacer á V. con aquella satisfaccion que se experimenta siempre que se llena el deber de decir la verdad sin contemplaciones ni temer.

No es posible dudar ni por un momento que sin la constante y hasta insolente intervencion de los agentes de Inglaterra y Francia en esta capital, el Tratado se habria hecho por los Plenipotenciarios y ratificado por este Congreso con el proyectado artículo 28 relativo á un depósito de carbon &c. Este es un hecho, una verdad que no pertenece meramente á la jurisdiccion de un determinado círculo de personas como algunos otros de la política interior, sino que le consta á la inmensa mayoría del país, aun á las clases mas ~~abiertas~~ desconfiadas en cuanto á los asuntos públicos, pues aquellos mismos agentes han llevado á ellas su perniciosa propaganda en contra del Tratado, y en general contra los Dominicanos. De esto citare un ejemplo. Una mañana del mes de Octubre vino á

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mi casa el <sup>24</sup> Sr. Antonio D. Chadrizal con el Sr. Josep de Morris, y me dijo  
que este es práctico del puerto de Samana, que en aquella bahia prestó sus  
servicios a los buques Americanos de guerra Columbia y Albany, y que sabia  
muchas cosas relativas a lo que el Consul ingles hizo en dicha Ciudad en su último  
viaje. Pregunte a de Morris que sabia sobre el particular y me contestó que  
le consta que el Sr. Shoumbourgh habló allí especialmente en el campo, a casi toda  
la gente de color y negra en contra del Tratado, diciéndoles que el Gobierno  
Dominicano iba a vender el país a los Americanos, y que estos los esclavizarían.  
Supliqué a de Morris que declarase esos hechos bajo juramento en un tribunal cual  
quiera, y me contestó que podia declararlo por ser todo la pura verdad, pero  
que no lo haria por no comprometerse, porque él es muy pobre y tiene una la-  
rga familia.

Ademas, que el Consul ingles no tuvo otro objeto al emprender aquel vi-  
aje a Samana sino el de hacer esa dissociadora propaganda contra el Tratado,  
cosa que se sabe de notoriedad, asi como que el Sr. Marciano, hombre de co-  
lor, ha sido desterrado porque conspiró contra este Gobierno a efecto de las  
situaciones de Mr. Shoumbourgh.

Tambien me consta que el Presidente Santana dió ordenes a sus  
Plenipotenciarios el 6 de Setiembre para que aceptaran el artículo 28 con  
la modificación de quitarle lo relativo a la jurisdiccion local; y que esto no  
llegó a realizarse porque en la mañana del 7 le hizo una visita Mr.  
Shoumbourgh, y volvió al medio-dia con Mr. Harasse, Consul franco-  
para decirle - entre otras cosas, que ambos protestarian en nombre de sus  
respectivos países contra cualquier concesion hecha por esta Repu-  
blica a favor de los Estados Unidos, aunque solo fuera de una pulgada de  
terreno.

Esta noticia, que muy pronto se divulgó, produjo alguna  
sensacion en el pueblo, y en algunos pensadores hizo nacer el temor de  
que ya no se concederia el depósito de Carbon, pues el Gobierno Do-

incansablemente a la idea de excitar en su contra a Inglaterra y Francia. Con este motivo, y cuando ya se sabia en el público lo que era el artículo 28, mas de diez Dominicanos, entre quienes se cuentan el Sr. Manuel J. Del monte, Presidente de la Suprema Corte de Justicia, el Sr. Pablo Brin, Jefe del Tribunal Justicia Mayor, el Sr. Guillermo Tejera, Representante por la Provincia del Cibao, y el Sr. José de la Peña, miembro del Consejo Administrativo, me dijeron que el Tratado sin ese artículo no les satisfaría, y que perdian la esperanza de ver aseguradas la paz y el progreso de su patria.

Pero si bien es cierto que se hablaba de que no habia tal depósito, nadie pudo ni aun siquiera sospechar que al Tratado, sin esa cláusula, se le hacia la esmerada oposicion que le han continuado haciendo los dichos Consules, y particular y muy señaladamente M. Maxime Haybaud, Consul General de Francia en Hayti, llegado a esta Capital el 27 de Octubre. Y solamente una intervencion como esa, en la cual se han empleado alternativamente promesas y amenazas, ayudadas estas ultimas de la presencia de siete buques de guerra, hubiera podido dar el resultado que a todos nos ha sorprendido. En prueba de esta opinion, citare a V. dos circunstancias dignas de ser notadas.

Cuando el Presidente Santana se fue al Seybo a fines de Setiembre, encargó a sus Plenipotenciarios Sres. Tejera y Bido, — que no lo dejaran ir a V. para los Estados Unidos sin concluir el Tratado; y aun ofrecia a V. por medio de ellos, de palabra y por escrito, que despues de su ratificacion, cuando V. volviera de Washington, le concederia el depósito en Samana bajo de ciertas condiciones mas o menos admisibles. Cuando el Sr. Ministro Tejera vino del Seybo en Octubre, me encargó dijera a V. que cuando él fué a allí a visitar al Presidente, lo primero que este le preguntó, con notable interes,

que si ya se había firmado el Tratado; todo lo que justifica su sincera y ardiente deseo de estrechar con los Estados Unidos los vínculos de Amistad que al presente los unen a esta República. Pero vino M. Baybaud como deo dicho, y las intrigas se redoblaron de una manera extraordinaria. Decía de Sor., y lo decía sin embargo, según lo comunicó el Gral. Pelletier (frances de nacimiento) a mi amigo el Sr. Manuel Delmonte, que había venido resuelto a desbatutar el Tratado Americano hasta con la fuerza si era necesaria. Esto, sin duda, lo decía para ahuyentar que llegase a oídos del Presidente, quien por ser un hombre sin estudios, necesariamente había de intimidarse creyendo que el hacer un Tratado de Amistad, Comercio &c. es uno de aquellos hechos que entran en la clasificación de los llamados casus belli.

Al día siguiente de la llegada de M. Baybaud, el Cónsul inglés mandó al Ejecutivo Dominicano una nota de tal clase que solamente ha podido haberla dirigido a un gobierno de cuya pequeña tiene un perfecto conocimiento. Dice en ella que tenía instrucciones de Lord Clarendon para manifestar a este gobierno la sorpresa de S. M. B. al saber que la República Dominicana estaba negociando un Tratado de Amistad &c. con los Estados Unidos de América: que por ese Tratado iban a ponerse en peligro, inmediata y grandemente la salud y prosperidad de este país: y en fin, que la República Dominicana no puede negociar con otra nación, y particularmente con los Estados Unidos, ningún Tratado sin el conocimiento y sanción de Inglaterra y Francia.

Aunque algunos miembros del Gobierno Dominicano conocían cuán injustifica-

bles eran ese y los demás pasos de los agentes extranjeros respecto de la soberanía de la República en relación al poder de hacer tratados, temían, y con razón, que todo eso paralizaría la fuerza de voluntad del Presidente Santana, o lo que es lo mismo, que lleno de temor abandonaría el Tratado á las intrigas que ya se estaban preparando por parte de Raybaud, Schoumbourgh y Mencken para ganarse los votos de algunos representantes. Y así sucedió; pues aun cuando es cierto que Santana se sostuvo firme y enérgico en favor del Tratado en una entrevista que tuvo con Schoumbourgh, y después en otra con Raybaud y Darasse, al fin lo vencieron por medio de los Ministros Lavastida y Alfau, hombres sin conocimientos políticos, sin ideas propias, que no han estudiado ningún ramo del saber humano, y que hasta carecen de carácter.

Público y notorio es que Mr. puso notas á varios ejemplares impresos del Tratado, y que una de ellas era relativa al artículo 3º, en la cual establecía que debía expresarse sin distinción de razas ni de origen; y aun se me ha dicho por algunas personas que en tres de esos ejemplares puso al pie de las notas — "Maxime Raybaud, Consul General de Francia en Hayti."

Al mismo tiempo de circular esas notas, decían Raybaud y Darasse que tan pronto como las fuerzas aliadas concluyesen la guerra contra el Orar vendrían á destruir á los Moscovitas de América; especie bien ridícula é insostenible, pero propia para fascinar é intimidar al Presidente Santana, á Lavastida y Alfau, haciéndoles creer

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por ese medio que no debían tener el desagradar á los Americanos, porque ellos habian de inutilizarlos como nacion.

Todas estas intrigas y miseria política produjeron el fruto que deseaban sus autores. Cuando el Presidente se presentó en el Congreso extraordinario convocado por él mismo en su decreto fecha 25 de Setiembre, se conoció que las negociaciones entabladas con U. estaban heridas de muerte, pues Santana leyó un mensaje en que dijo á las ~~presentaciones~~ Cámaras que las habia reunido para presentarles un proyecto de Constitución. Hasta entonces creyó el pueblo que la convocatoria se habia hecho para presentar el Tratado; pero desde esa fecha ya no pudo sostenerse esa ilusión, y cundió por todas partes el convencimiento de que no habria tratado.

Surge inútil referir aquí lo que contienen las notas de U. al Ejecutivo Dominicano, así como las respuestas de éste, porque todo eso constará en la correspondencia documentada que U. sostiene con el Gobierno de la Union. Sin embargo, debo detenerme en expresar el efecto que produjo en esta población uno de esos documentos que ha empleado U. en estas circunstancias. Aludo á la protesta dirigida á los Cónsules de Inglaterra y Francia, de una hermana de las notas de Webster al Austria y de Everett á aquellas dos Naciones. Al circular en esta capital copias de esa protesta, un aplauso general salió del seno de la gran mayoria de los Dominicanos, eco de su simpatía hacia U. y los Estados Unidos, y eco del odio con que ven la especie

de dictadura que en su patria estan ejerciendo los Agentes de Inglaterra y Francia. Al mismo tiempo brotó la esperanza de que habria tratado; y aun hubo quienes dijeran en un momento de entusiasmo—, el Tratado pasara por encima de las cabezas de Napoleon y de la Reyna Victoria (2) con cuya expresion decian que serian inútiles las intrigas anglo-francesas.

Pero desgraciadamente fue nombrado Senador, y ascendido á la presidencia del Congreso el Cbr. Tomas Bobadilla, hombre funesto para su patria, y que ademas deseaba vengarse de Santana. M. Raybaud no cesaba de visitarlo, y fácilmente lo atrajo á su partido. La mayoría del Congreso, que siempre habia estado á favor del Tratado, la víspera de la discusion se redujo á minoría, porque Bobadilla, que á todas partes iba con la nota al artículo 3.<sup>o</sup> hecha por Raybaud, decia que él era órgano de los deseos de Santana; y como aquí no se hace sino lo que Santana quiere, desertaron tres ó cuatro amigos del Tratado. Inútiles fueron los discursos del Senador Rojas y del Representante Valverde en contra de aquella nota: inútil que el primero de esos Sres. dijera— "yo no quisiera que las naciones extranjeras hiciesen de mi patria el teatro de sus cuestiones é intereses." Las influencias de esas naciones triunfaron.

Ademas de lo que dejo dicho en esta carta, hay otra prueba de una activa intervencion de parte de M. Raybaud, y es la siguiente. El domingo 17 de este mes vino á visitarme el Senador Rojas, y me dijo que el día 3, despues de terminada la sesion sobre el Tratado, fue á casa de Chr. Jacob Pereira, en la cual encontró á M. Raybaud, y que este le dijo con notable impertinencia, aludiendo al artículo 3.— "Bobadilla queria que se dijese en la objecion— sin distincion de clases; pero

yo hice que pusiera <sup>251</sup> sin distincion de raras ni colonas.

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En resumen: las

causas, y el no tener V. aquí algunos buques de guerra, con los  
cuales podia V. haber contrapesado la influencia que en el Presidente San-  
tana y en algunos miembros del Congreso los Siete de Inglaterra y Bra-  
cia, - no podian menos que producir un mal resultado en las negociaciones  
Dominico-Americanas. Un gobierno débil, y con un Presidente nada ilus-  
trado como Santana, frecuentemente cede mas al temor que a la voz de  
la razon y de su propia conveniencia.

Por lo demas, el pueblo ha sen-  
tido y siente con sinceridad los contratiempos aquí referidos en voz baja  
y si no es muy larga la lista de las personas que se apresuraron a dar a V. su  
opinion por escrito con la libertad con que lo hago yo, es porque tiemblan  
a la idea de comprometerse a la corte o a la larga; pues como ya lo  
habra conocido V., todos temen aquí ejercer sus derechos de homines  
libres.

V. puede hacer de esta carta el uso que estime conveniente,  
seguro de que ninguno desagradará a su afectísimo

Amigo y humilde servidor

Alejandro Aguado Larida

Manuscrito de A. A. Larida.  
Santo Domingo del 25

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Santo Domingo Dec<sup>r</sup> 26<sup>th</sup> 1854

Sir,

I have the honor to inform you that, considering the importance of the dispatches to be transmitted and the uncertain means of communication between this island and the United States, I have thought it expedient to appoint A. Angulo Guiradi Esq<sup>r</sup> to proceed to Washington as special bearer of dispatches.

M<sup>t</sup>. Guiradi will accordingly deliver to you a package directed "Hon<sup>ble</sup> William L. Marcy Secretary of State" containing my several reports of 22<sup>d</sup> and 26<sup>d</sup> Dec<sup>r</sup> including also certain other papers mentioned in said reports.

I have stated to M<sup>t</sup>. Guiradi that he will receive such compensation as the Department of State thinks proper to accord in like cases.

I have the honor to be  
Very respectfully

Your Obedient Serv<sup>t</sup>  
William L. Cazneau

Wm. L. Marcy  
Secretary of State

Consulat d'Angleterre  
et Consulat de France  
à Santo Domingo.

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S<sup>to</sup> Domingo le 14 Décembre  
1854

Monsieur le Président,

Les Consuls d'Angleterre et de France  
soussignés, dans le but d'aplanir les dernières  
difficultés que peuvent s'opposer à la conclusion  
d'une trêve à long terme entre les deux parties  
de l'île, desirant savoir si le Gouvernement  
Dominicain consentirait à prendre les engagements  
suivants envers les deux Puissances médiatrices  
dans le cas où l'Empereur d'Hayti  
subordonnerait à ces mêmes engagements  
son adhésion à la susdite trêve sous les  
garanties de mêmes Puissances.

- 1<sup>o</sup> N'aliéner, affermer, hypothéquer ou  
céder à titre gratuit, soit définitivement, soit  
temporairement, aucune portion du territoire  
Dominicain, particulièrement sur les bords  
de Samana, à quelque Gouvernement que ce soit.
- 2<sup>o</sup> Ne contracter d'engagements financiers  
avec aucun Etat étranger, n'en accepter

aucun subside, ne lui engager ou hypothéquer  
aucune branche des revenus de l'Etat  
Dominicain.

3.<sup>o</sup> Ne consentir en sa faveur à aucune  
aliénation de la souveraine juridiction  
nationale.

4.<sup>o</sup> Ne permettre à quelque Souverainement  
que ce soit, de forcer ou occuper sur le  
territoire Dominicain aucun Etablissement  
maritime, ou autres, factoriels ou de ports  
quelconques.

5.<sup>o</sup> Ne tolérer sur aucun point du même  
territoire le débarquement, d'aucune troupe  
d'aventuriers armés ou non armés.

6.<sup>o</sup> Ne conclure aucun traité accordant à  
quelque Puissance que ce soit, au delà  
de ce qui a été accordé à d'autres par  
conventions antérieures; aucun traité surtout  
qui ne garantirait pas chez cette Puissance  
le même traitement, les mêmes droits, les  
mêmes avantages, les mêmes privilèges à  
tous les Dominicains sans distinction d'origine  
de couleur.

Les Consuls soussignés, vu l'urgence,

Je prie Votre Excellence de vouloir bien leur  
faire ~~parvenir~~ réponse à la présente note  
dans le plus court délai possible.

Ils profitent de cette occasion,  
Monsieur le Président, pour renouveler  
à votre Excellence l'assurance de leur  
très respectueuse considération.

Le Consul de France,

= L. S. = P. Daraps. = L. S. = Adm. H. Schomburgk  
Consul de S. M. B.

Confidential

I have seen the originals of both  
this and the British Consul's note of Oct 28<sup>th</sup>  
and know the copies I remit to be accurate  
M.L.

#

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Attestations of the  
Diplomatic Agents of  
France and England  
to the Convention of 1804

Caz -  
Spec. Service

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San Carlos Dec 26<sup>th</sup> 1852

Begin

Before  
March 22 1855

Sir

After closing the report which I had the honor to direct to you of Dec<sup>r</sup> 23<sup>d</sup> I succeeded in obtaining the enclosed copy of the conjoint ultimatum of the Consular and Diplomatic Agents of France and England - the obvious intent of its stipulations is to exclude our citizens and commerce from any share in the natural wealth and superior harbors of this central and favored island and to retain this republic in its present forced dependence on European will and policy.

This note is the last and conclusive link in the chain of evidence I have laid before the government in supporting statements respecting the dictatorial interference of the French and British Agents in our inter-American relations; and its results in seriously disturbing the friendly relations which the United States were disposed to establish with the Dominican Republic.

Their pertinacious intervention had far exceeded the bounds of candid and honorable diplomacy sustained as it is by indirect menaces and the significant preponderance of a strong naval <sup>force</sup> in front of this capital while their governments were making public professions of friendship to the United States and their Hon<sup>ble</sup> William L. Marcy  
Secretary of State

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infinitely advantages from their honorable faith and strict neutrality in the European war

It has been declared in writing - and much more strongly and frequently in words - that these agents have the instructions and authority of their governments for these covert and unprovoked attacks on American interests - Under whatever direction the proof is positive, that taking unfair advantage of its situation at a dangerous crisis they have by threats and intimidation forced a young and friendly American State to sacrifice its best hopes, its national honor, as well as the valuable friendship of the United States by the violation of its solemn and voluntary engagements

End The Dominican Government informed me in September that European Consuls based their chief objections on Art. 28 of the Convention because it opened to our shipping a peculiarly convenient harbor in the Bay of Samana - This bay is by nature one of the best commercial points in the American seas, noted by its excellent resources in wood, water, provisions &c. but by its secure, central and commodious harbour for all climes of winds, and its extensive beds of coal for the supply of our insatiable and always increasing steam marine in these waters.

I grieved with extreme regret, even temporarily, at conditions so desirable for our commerce and so favorable to the progress and prosperity of the Dominican people, but when I became certain that in the event of this concession France and England were determined to aid Hayti in reducing this Republic to the last extremity, I waived it for the basis and the stipulations of Art. 28. were omitted in the Convention of October - This forbearance deprived those powers of their alleged motive for injuring this republic and I had hoped that more distinct relations with the United States and a peace with Hayti would place the independence of the Republic

a basis that it would henceforth be enabled to make its treaties without the fear of European intervention.

The patience and equity of the United States has only <sup>increased</sup> the exactions of the representatives of France and England, and they now demand of the Dominican Government to bind itself <sup>never</sup> to make any treaty whatever with any nation except within such narrow and suffocating restrictions as must be fatal to the independence and prosperity of this republic.

I am not able to say what answer the Dominican Government has given to the European ultimatum but I strongly suspect it is one which will be destructive to the prosperity of the republic without imposing any corresponding obligation on France and England to aid or protect it. Thus far those powers have exacted a colonial submission, while they endeavor to evade all share in the responsibility of the offensive action they compel it to adopt towards the United States.

I have the certainty that within a few days important secret conceptions have been wrung from President Santana and Mr. Bayaud left last evening with the documents. I have not learned their exact nature but it is my impression they relate to the occupation of the Bay and Peninsula of Samana by a French imitation of the British East India Company. The European governments may avoid coming in, <sup>direct</sup> conflicts with the American principle of anti-European colonization but a private company may do the work and monopolize its advantages while American enterprise is effectually excluded by the terms of this ultimatum from the ports and territory of the republic.

In conclusion I beg leave to state my fixed conviction that the Dominican Government only requires to be relieved from the pressure of this foreign encroach-

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most and to be assured that the Government of the United States will firmly protect the freedom and integrity of its negotiations with this Republic to gladly accept and punctually fulfil all the clauses and stipulations of the original Convention of September

There is much said in the Cabinet circles of "a triple protection to be established by France, Spain and England over the Antilles," and the Spanish Plenipotentiary known to be on his way here to treat with the Dominican Republic is supposed to be the bearer of some propositions of that nature. I give this rumor for what it is worth. But I have no doubt that in some form a strong and combined - though probably secret and indirect - effort is in preparation by those powers to efface the only American Nation in the West Indies. This is the only territory under American government in this whole circle of islands, with their three and a half millions of population and an one hundred thousand square miles of territory. All the other islands are European Colonies and if this Republic is constrained to accept the conditions of the war in note of the European Agents, its position, in every point of American policy, will have all the inconveniences of colonial subjection, without any of its counterbalancing advantages.

I have the honor to be Sir,  
Your Very Respectful Servant  
William L. Gayne

Santo Domingo Dec. 23 1852.

Sir

I would respectfully beg leave to call your attention to the ~~to the~~ documents herewith enclosed as they present a full and connected chain of evidence, from the most eminent and indisputable witnesses, that the interruption of the friendly relations between the United States and Dominican Republic, was entirely effected by the rancors and intrigues of the Diplomatic Agents of France and England in their active hostility to the interest of the United States.

France and England assume here, under the title of the "Mediating Powers," a dictatorial supervision altogether incompatible with the independence of the Dominican Republic. They claim this authority to control an American State partly on the plea that they were the first to recognize it as a Nation, and partly as they say, because they have been engaged for several years in mediating a peace for it with Hayti. It must be noted however this peace - to obtain which the Dominicans have been forced into so many humiliating concessions - is not yet established, though the position of Hayti with regard to those great nations would seem to imply that nothing is required to complete but a firm and distinct expression of the will.

The Dominican people did not receive their independence.

Hon<sup>d</sup>. William L. Kacey  
Secretary of State

pendent nationality in gift from any foreign power -

Unknown and unaided they rescued their soil and liberties from the usurpation of Hayti by their own brave-foots, and the most important result which the Dominican Republic has experienced from the presence and interference of the "mediating powers" is the harassing fear that at last some trick of policy may induce them to cast their wings exclusively and fatally on the side of Hayti.

The counter-check to this dread was the hope that the recognition and amity of the United States would give stability and protection to their young republic; but it is not such the views of those powers to allow this hope to be realized.

The papers I now remit contain the statements and declarations of the most honorable and distinguished men in the Dominican Republic (made from their own personal knowledge and intrusted to me at the peril of life and fortune) explanatory of the manner in which the agents of those powers commanded and enforced the annihilation of the American treaty -

The confidential letter "No. 1." dated Santo Domingo Sept. 28<sup>th</sup> details under the hand and signature of the highest and most competent authority the officious and presumptuous (yet at first wholly irresponsible) measures taken by the French and British Consuls to suppress and set aside the first project of the treaty. This document corroborates, point by point, my official reports that the entire convention including Art. 28. and the concession of a coal depot at a point of immense value to the commerce of both republics would have been signed on the 8<sup>th</sup> of September and immediately submitted to Congress, then

in session, for ratification but for the vehement opposition, and even menaces, of the representatives of France and England.

The threatening manner in which the power of those governments was used to sustain the arrogant pretensions of Salougue in case "a single inch of ground" was committed to the Americans, could not be resisted by a feeble and irresolute government. As this writer truly observes "it was placed in a bitter and violent, but unavoidable, condition" and was driven by the law of self preservation into breaking its engagements with the United States. "It is sufficiently strong and great" he adds "to keep Salougue from passing the dividing line of the two States but too small and weak to venture its existence against either of the European nations to which I have alluded."

From this and other not less conclusive evidence that the Dominican Government was constrained by an unfortunate combination of circumstances to yield temporarily to this foreign pressure, I passed as lightly as possible over the occurrences of September and renewed negotiations on a modified basis.

Understanding it to be the policy and desire of my Government to respect the integrity and strengthen the independence of this young republic, I consented to avoid giving to the "mediating Powers" any pretext at this juncture for attacking its existence. Taking precautions however to place any future interference of their agents with the free course of United States negotiations, in a tangible and undeniable form.

"No. 2." - The protest of H. B. M. Consul, Sir R. A. Schomburgk is one result of this precaution. This document in effect

prohibito

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prohibits the negotiation of treaties by the Dominican<sup>Republic</sup> without the knowledge and sanction of France and England, particularly with such a dangerous and suspicious power as the United States, and it expressly states that this pretension to supervise and control our inter-American relations emanates directly from Lord Clarendon and the British Cabinet, who claim it as a joint right of the French and English governments.

Mr. Raybaud presented himself about this time as the common envoy of France and Hayti, charged to assume the general direction of the measures to be taken by the three powers to annihilate, in every form, the friendly relations about being established between the republic and the United States. As he was sustained by a sufficient naval force his visits, - advice and protests were intended on the Executive at all hours, and their effects immediately became visible in the wavering, intimidated and wholly anti-American policy of the government.

We have the explicit testimony of Mr. Ellis, the United States Commercial agent, on this point. He wrote me Nov<sup>r</sup> 16<sup>th</sup> (No. 3) that he was assured by members of the Cabinet that "Mr. Raybaud's opposition had prevented President Santana from presenting the American treaty to Congress or making any treaty with our government" - "From what I learn from the ministers of the government, the President is afraid to do any act contrary to the wishes of Mr. Raybaud on account of the French<sup>force</sup> now at anchor in this harbor" - This note also states that several influential members of the Dominican Congress had declared to him that "no Congress existed since

The day before yesterday the day of the arrival of the French squadron) as they had been threatened with force and could not act under the circumstances."

All this was confirmed to me in almost the same terms by many leading members of this government and it was time to make the representatives of France and England accept the responsibility on the part of their governments, or cease this interference in United States affairs. It was also due my government to learn whether the Dominican Republic was an independent power or a semi-colony under European tutelage, and I addressed to them respectively my notes of Nov<sup>r</sup> 16<sup>th</sup> and 17<sup>th</sup> - heretofore omitted.

As neither the European Consuls nor the Dominican Government <sup>attempted</sup> to deny this controlling interference, I had no choice but to withdraw the treaty I had negotiated from the action of these unexpected third parties in <sup>my</sup> notes of 18<sup>th</sup> and 24<sup>th</sup> Nov<sup>r</sup> - also omitted.

It was one of those cases in which extraordinary circumstances become their own fountain of law and make their own precedent.

"No. 4": Is a minute and accurate summary of the whole course of foreign interference by a gentleman whose position made him intimately acquainted with the parties, times and methods employed by the European Consuls to operate against first the accepted project of September, and afterwards to nullify the signed treaty. He is in the confidence of this government and knew well its original sentiments in favor of the United States, and how he was forced into its contradictory action by the acts and schemes of foreign diplomacy.

"No. 5": Contains the same facts by an equally reliable witness who, like the writer of "No. 4", has intimate personal relations

\* The original was dated Nov<sup>r</sup> 23<sup>rd</sup> by mistake, it should have been Nov<sup>r</sup> 24<sup>th</sup>.

relations with the highest members of this government. It will be observed he gives the names of the distinguished gentlemen to whom M. Raybana declared he had come from Haiti to buy up the American liberty, even by force, if was necessary"

This document (like No. 4) gives in detail <sup>with</sup> important names and dates the manner in which the Convention of October 5<sup>th</sup> was first withheld from the Congress to which it should rightfully have been presented for ratification and afterwards wrongfully sent to an incompetent body where it received a pretended but spurious ratification under the direction of M. Raybana. When the President of the Constituent Congress wished to soften some offensive expressions in the "amendments" prepared by M. Raybana, for that body to pass with its pretended ratification, M. Raybana "made him" to use his own words, take the most objectionable phrase, and boasted of having done so in a conversation had with Senator De Rojas on the subject.

With regard to the validity of this enforced ratification I submit the legal opinion ("No 6.") of the highest authority on Constitutional subjects in this Republic that it is unconstitutional and void even if other circumstances had not annulled the Convention.

It was submitted to the Constituent Congress which was summoned to meet in extraordinary session in the form prescribed by law for the sole and exclusive object of Revising the Constitution and could not in its special capacity of a Convention of Revision pass any legislative or co-executive acts.

The Executive had, as directed by the Constitution, excepted the object of the extraordinary session in decree of convocation and it could not present to

body, treaties or other executive business for as this eminent authority goes on to say, "the Executive power has its limits and ceases from the moment in which the Congress interceded upon the business for which it was convened"

"Neither can it be pretended" continues the same authority referring to the Congress "that this body is supremely sovereign and can act ad libitum on all occasions."

In brief the Constituent Congress of Nov. 27, 1844, having been called and organized for one determined object, that it has been made to do outside of that ~~side of~~ object "bears the seal of unconstitutionality and is therefore null and of no effect." Some leading members of the Constituent Congress, declared to me they were of the same opinion but in the present critical state of the country "that body was unable to resist the will of France and England as represented by M. Raybaud."

I could multiply a hundred fold these proofs of the constraints imposed by the Agents of France and England on the free action of the Dominican Government in its relations with the United States. I have selected from the mass in my possession only the testimony which seemed essential to present distinctly and consecutively the important features of the case; and those witnesses whose position and character would give the most incontestable weight to their statements. I can vouch with the honor for the facts and the men, but I must earnestly request that these papers may be used with extreme caution so far as they involve Dominican names. A neglect of this precaution, while the Dominican Republic is under this foreign dictatorship, would

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lead to the immediate sacrifice of some of the best  
men of this unfortunate country - On this account  
I have refrained from using many names and  
circumstances of weight, in this and other reports  
and now only submit them under the seal of  
sacred confidence in order to show how thorough  
and conclusive are the evidences of this unwar-  
ratable foreign domination.

With the greatest respect - Sir

I have the honor to be

Your very Obedient Servant

William L. Cazneau

Caz. Special Service  
after Dec. 23, 1854.

No. 1. -

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✓ 7

Sr. Gral. M. L. Carneau.  
Presente.

Privada y confidencial.)

Santo-Domingo Set 28 1854.

Apreciado Sr.

Satisfaciendo el deseo que me ha manifestado mas de una vez, tomo la pluma para comunicarle las verdaderas causas de la inoperable tardanza que ha sufrido V. respecto a la conclusion del Tratado en cuya formacion estubimos.

Es muy cierto, Gral., que el dia 7 del corriente mes estuve a verlo a V. con mi colega el Honorable Bido, como expone V. en su comunicacion oficial fecha 13 de este mismo mes, y que en aquella entrevista manifestamos a V. que al fin el Presidente Santana aceptaba con algunas ligeras modificaciones el articulo 28 del Tratado relativo a la concesion de una localidad apropiada para que en la Bahia de Samana estableciera el Gobierno de los Estados Unidos un deposito de carbon para sus vapores de comercio. Asi mismo es cierto que convenimos en que al dia siguiente iriamos a redactar aquel articulo y a proceder a su copia para someterlo a la aprobacion del Congreso; y por desgracia no es menos cierto que los Consules de Inglaterra y Francia, y especialmente el de la primera de esas naciones, hicieron causa de que el Presidente variara su opinion respecto del articulo 28.

En efecto, Mr. Schombourgh visito al Presidente a las 7 de la mañana del dia posterior a aquella entrevista, y volvio con Mr. Darasse, Consul frances, a la 3 de la tarde. Ya he dicho a V. de palabra, y se lo repito ahora, que el objeto de esas entrevistas fue el de pronunciarse aquellos Señores contra la concesion del mencionado articulo 28. Lo hicieron en tales terminos, que Mr. Schombourgh se permitio decir que la Francia y la Inglaterra protestarian contra cualquiera concesion de alguna clase hecha a favor de los Estados Unidos, aunque solo fuera de una pulgada de terreno. Yo estaba presente en esa entrevista, asi como los demas Ministros, y puedo asegurar a V. que el Presidente Santana condujo la cuestion con todo el tino necesario.

no admitiendo el objeto de tal excusa sino como un asunto privado, sin ningún carácter oficial. La protesta, sin embargo de esto, jamás ha comunicado por escrito.

Sin duda que si se preguntara: ¿por qué ha variado el Presidente Santana su resolución respecto al artículo 28, no teniendo la Francia ni la Inglaterra ningún derecho sobre la República Dominicana, y lo que es mas, no habiéndose comunicado al Gobierno de la misma aquella prometida protesta? No se la explica en pocas palabras.

La situación política de la República Dominicana es algo excepcional, porque no solo tiene que atender a su injusto y temerario enemigo, Haití, sino que por relacion a su mismo enemigo debe guardar una perfecta armonía con las potencias mediadoras, Inglaterra y Francia: á lo que se agrega la heterogeneidad de sus elementos sociales. Por tanto, su marcha tiene que estar apoyada en un sistema de contemplaciones que la coloca en una condicion amarga y violenta, pero necesaria, porque así solo puede constituirse en gran parte el equilibrio político de la República; pero si bien esta es fuerte y grande para impedir que Haití Soulouque no traspase la línea decisoria de los dos Estados, es pequeña y débil para aventurar su ~~propia~~ existencia con cualquiera de las naciones europeas á que aliado; y por otra parte, quiere evitar toda dislocacion de sus vínculos interiores.

El Presidente Santana comprende muy bien esta situación embarazosa; y como su honor y patriotismo se oponen á que la tranquilidad, la independencia y el honor de la República sufran ni aun la mas leve inconveniencia, con mucho temer y ~~que~~ ha querido evitar que por acceder en estos momentos á la estipulacion del artículo 28, padecieran sufrir graves dificultades que — cuando menos — hicieran derramar alguna sangre, causar grandes males al Estado, y de todos modos hacer que el país retrogradara. Y con tanta mas razón debió temerlo, cuanto que los mismos Gobiernos de Inglaterra y Francia manifestaron en la mencionada entrevista, que los de ambas naciones en Haití les habian transmitido copias de una nota oficial del Ministro de Relaciones Extranjeras de aquel imperio, en la cual participaba que Soulouque se negaria á consentir en ningún artículo á favor de esta República en el caso de que esta celebrara

ra el Tratado de Amistad de con los Estados Unidos. Pero es de advertir que tampoco en esta se ha comunicado oficialmente a mi Gobierno, no obstante que en su forma la he pedido al Sr. Cónsul Británico, así como al de Francia.

Sólos, y no otros, han sido las causas del enterpeimiento de nuestras amistosas negociaciones diplomáticas.

No debo detenerme en recordar á U. el carácter de esta comunicacion. No la he redactado bajo la fe del secreto, y sé que U. es un caballero.

Quedo de U. su afectísimo amigo y servidor

J. M. Serra

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Letter from Representative  
and Minister of Foreign Relations  
of the Dominican Republic  
Haiti Domingo Sep 28 75

Can! Special  
Secur

Coly all

764

after Dec. 23, 1857

No. 2

British Consulate

Santo Domingo Dec. 28/57

Señor Minister

I am instructed by the Earl of Clarendon  
Her Majesty's Secretary of State of Foreign Affairs, to  
inform the Dominican Government that Her Majesty's  
Government learn with surprise that notwithstanding  
the advice offered by the Representatives of the Mediating  
Powers, which could have no other object than to promote  
the safety and welfare of the Dominican Republic, the  
President has thought proper to negotiate a treaty with  
the United States by which both the safety and welfare  
of the Republic will be greatly and immediately endangered.

England and France have on more than  
one occasion interfered to uphold the independence  
of the Dominican Republic, when that independence  
was threatened by a neighbouring Power and they had  
a right to expect that the arrangements contemplated  
by this treaty should not have been made with-  
out their knowledge and sanction, particularly with  
a power which has hitherto refused to acknowledge  
the independence of the Dominican Republic and  
To the Señor Minister in charge of the Foreign Affairs of the  
Dominican Republic  
Santo Domingo

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the sudden and summary character of whose present proceedings must excite well-founded suspicions of its ulterior object

The undersigned avails himself of this opportunity to reiterate to the Senior Minister whom he has the honour to address his most distinguished consideration

Robert H. Schomburgk

# Run 30th April. Mr Mackie 794

Santo Domingo March 22<sup>nd</sup> 1855

Sir

I had the honor to receive yesterday  
by Mr. A. Argueta Guisdi your note of Feb 23<sup>rd</sup>  
and shall immediately proceed to comply with  
the instructions

I regret to say the communication  
of 12<sup>th</sup> Jan<sup>y</sup>. alluded to, has never come to  
hand -

With the greatest respect

I have the honor to remain

Yours most Obedt. Servant  
William L. Cazneau

Hon<sup>ble</sup> William L. Marcy  
Secretary of State

San Francisco  
Santo Domingo Oct 28

Duplicate.

Recd 16. April. Mr Mackay 798.

Santo Domingo March 22 1855

Sir

I had the honor to receive yesterday  
by Mr A. Angulo Guirai your note of Feb 23  
and shall immediately proceed to comply  
with the instructions

I regret to say the communi-  
cation of 12<sup>th</sup> Jan<sup>r</sup> alluded to, has never  
come to hand

With the greatest respect  
I have the honor to remain  
Your most Obedt. Servant  
William L. Gayneau

Hon<sup>ble</sup>. William L. Marcy  
Secretary of State

Recd 11 June

J. D. Hoffman  
802

Washington June 9<sup>th</sup> 1855 Begun

Sir

In announcing the unsuccessful termination of my mission to the Dominican Republic I can only reiterate what I have had the honor to state in my former reports, that the failure to establish friendly and mutually beneficial relations with that republic is wholly attributable to the dictatorial intervention of the agents of France & England who would not permit the Dominican Government to enter into any treaty with the United States except upon the terms set forth by European policy.

I have detailed in my former communications - and transmitted with them the corresponding proofs - of the manner in which they coerced the Dominican Government into annulling the Convention its plenipotentiaries signed with me Oct<sup>r</sup> 5<sup>th</sup> 1854 although that treaty was eminently in accordance with its own wishes and interests - In that remarkable note which I obtained and forwarded faithful copies - their right to supervise and control our inter-American negotiations is claimed for France and England and the purpose of excluding our

Hon<sup>d</sup> William L. Marcy  
Secretary of State

Citizens from their natural share in the commerce and advantages of that rich and central territory is distinctly laid down, though in a form to screen the European powers from expense or responsibility. The Dominican Republic is always placed in the front to meet alone with our dangers and losses may arise from the course of action forced upon<sup>d</sup> by the combined will of France & England. When they had compelled this weak government to violate the convention of Oct 5<sup>th</sup> they sheltered themselves from accountability by inducing an incompetent body to assume their acts and proffer to the Government of the United States this European substitute instead of the original treaty which was the true and voluntary act of the Dominican Government.

After this experience of the unfortunate condition of the Dominican Government I would have demanded my passport and left the country in Dec<sup>r</sup> but for certain considerations to which I alluded at the time in my communications to the Department of State. One was the probability that the reformed administration, which was about to come into power, would have the firmness to emancipate their country from this European dictation. Some of its most leading members assured me they had determined to do so and intreated me to assist their effort to assume an independent and American line of action by remaining a short time longer to give them the moral support of the presence of a representative of the United States.

England & France are undoubtedly co-operating with Hayti and the negro party headed by Bay to extinguish the Dominican Republic and convert the whole island into an African dependency.

It is the avowed and leading object of those powers to check the advance of American principles and restrict the scope of American enterprise in the Antilles. To this end their agents in St. Domingo gave every possible aid to the party of "Bray and the Blacks". There were limits however which could not be consistently passed while a Commissioner appointed by the Government of the United States to recognize and treat with it as a sovereign American state was actually in the country, and they did not conceal their anxiety for my early departure. As I remained much longer than they had been led to expect by advice from their Ministers at Washington there were several postponements of the time fixed upon for the outbreak and every postponement was a loss to the conspirators and a gain to the cause of law and order.

Begin. When at last the revolution was attempted and suppressed the rebel leaders went directly to the European Consulates for protection and were received and entertained in defiance of the request of the Dominican authorities that they should be surrendered for trial. Even those who were taken and condemned to death had their sentence remitted at the demand of the European Consuls - sustained as usual by an imposing naval force - and none of the negro leaders have been allowed to pay the penalty of their treason, except five who were taken by President Santana in the interior and executed under sentence of a Military Court before the Consuls had time to rescue them.

Whatever may be the ultimate fate of the Dominican Republic it cannot be considered competent to make treaties and fulfil them with other nations while the European powers continue to rule its most important domestic and foreign relations and in the

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conviction that this European dictatorship would not cease immediately I had no choice but to inform the Dom<sup>t</sup> Gov<sup>t</sup> of the termination of my mission. Your instructions in so that effect only reached me March 21<sup>st</sup> and your notes of 18<sup>th</sup> Dec<sup>r</sup> 1854 and Jan<sup>y</sup> 13<sup>th</sup> 1855 were not received until Apl 25<sup>th</sup> a few days previous to my departure.

The semi-colonial and irresponsible position of the Dominican Republic makes it impossible for the United States to rely upon its treaty engagements, yet in the absence of such engagements is operating severely to the detriment of our trade and citizens. Our people do not enjoy the same privileges and security of person and property which France & England exact <sup>in</sup> favor of their subjects and justice will never be conceded to us until the Dom<sup>t</sup> Gov<sup>t</sup> is made to understand the necessity of placing the United States on an equal footing with the most favored nations.

I have the honor to remain

Very respectfully - Sir

Your Very Obedt. Servt.

William L. Gayman

Mr McKim

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Washington June 25<sup>th</sup> 1855

Sir

I do not make any statement of the expenses of my residence in the Dominican Republic during the ten months in which I was faithfully engaged in the public service, as the tenor of my appointment makes no allowance beyond the excessively moderate sum of \$8. per diem; yet I must be allowed to observe that the extraordinary and unexpected circumstances in which I found myself were attended with numberless contingencies which made the outlay inevitable to the proper discharge of my duties exceed by far the entire sum claimed in the present account.

With great respect I have the honor to be Sir,

Your Very Obedt. Servant  
William L. Cazneau

Hon<sup>d</sup> William L. Marcy  
Secretary of State

# Recd 7 June Mr Mackay 810

Private

St Domingo March 22<sup>d</sup> 1856

Dear Sir

It is impossible at the present time to do anything relative to Samana. The opposition of the European Consuls, particularly of Spain has been very strong. The President of this Republic is at sword points with them and a little later will cede us the Depot or Naval Station and would now if the United States will protect the Republic, from the consequences. Santana is disposed to have a difficulty with Spain and would were it not for England and France

There is no doubt, that before long, you will hear of serious difficulties here

I have the honor to be sir

Honorable

W. L. Marcy

Secretary of State

{ Your most Obedt Servt  
Jonathan Elliot

duplicate

Rec 20. Dec W. Marku

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Dispatch No 6

Santo Domingo June 29<sup>th</sup> 1859

Hon<sup>ble</sup> Lewis Cass

Secretary of State

Sir

Immediately  
on receiving my instructions I proceeded  
to New York to seek the most speedy and direct  
conveyance to the city of Santo Domingo the  
capital of the Dominican Republic.

After diligent enquiry for a direct passage  
I learned from those formally engaged in the  
trade that they had abandoned it altogether.

This, among other causes, is in consequence  
of the heavy discrimination in favor of those  
nations who have treaties with the Dominican  
Government for these distinctions are made to  
operate to the exclusion of American traders.

Being thus circumstanced I was finally obliged  
to take passage in the British brig John Butler,  
bound to Puerto Plata on the north side of the  
Island and distant two hundred and forty  
miles from the city of Santo Domingo which is

on the opposite coast of the Dominican Territory

Puerto Plata is the commercial depot of Santiago, Concepcion, the valley of Constanza and of the celebrated plain of La Vega which stretches for three hundred miles along the northern slopes of the Cibao Mountains. The whole of this trade is with the most striking exception in the hands of a few European merchants, who are at the same time the Consular representatives of their respective nations. There is but one American house in Puerto Plata, that of Collins & Co. and that firm complains in the strongest terms of the disabilities imposed on American commerce. But our trade must continue this struggle for existence until it is placed by treaty on an equal footing with that of the most favored nations.

Our citizens are obliged to do their fighting under European flags, in consequence of the extra tonnage duties, and other onerous charges, levied on American vessels in the non-existence of treaty stipulations to the contrary.

I shall endeavor to induce the Dominican government to waive these burdensome discriminations against American vessels, but in the mean time it seems a singularly

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false position that our inter-American commerce should depend on ships from the other side of the Atlantic to carry the products of the United States from our ports to those of so near a neighbor.

The exports from Puerto Plata principally in tobacco amount at the present time to about \$1,000,000 a year. This tobacco is chiefly raised in the plains of La Vega which produced last season a crop of about eight million pounds, mostly of a fine fragrant quality suitable for cigars. In some sections it is equal to the best Cuban tobacco and will compete with it in the markets of the United States if it ever makes its way there. At present it is shipped to European ports in European bottoms. It is packed in casks of from 100 to 125 lbs. each, for transportation to the sea board on mules as there is no other mode of conveyance in use.

From the noble Bay of Samana at the east, to the almost equally important Bay of Manzanillo on the Haytien line at the west, throughout the whole extent of the plains of La Vega, there is every facility for making cheap and substantial roads, yet even in this the richest, thriftiest and most enterprising

section of the Dominican Republic, there cannot be found half a dozen cars or vehicles of any kind for the transportation of bulky goods. It is true there is a growing desire to procure them and to try the labor saving inventions for which the United States has here a high renown, but the hampered, unfrequented and uncertain communication with our ports cuts off this, as well as many other branches of trade.

From Puerto Plata to Santiago a rough mule road climbs up a rapid succession of steep terraces, until it opens upon the grand prairie plateau of La Vega, about eighteen miles from Santiago. This extensive plain is unrivalled in the Antillas for its varied productions and delightful climate. It stretches for fully three hundred miles in a long undulating line, at the base of the lofty mountain spurs of the Cibao - the great central back bone of the island - in one wide garden of natural fertility. In this area or along its margin may be found almost every plant and mineral known to commerce. Two very considerable rivers, the Yuna and Yagui, rise among the

timbered slopes of the mountains of mineral  
wealth which bound the Vega towards the  
south, and after supplying it with unlimited  
water power for irrigation and machinery,  
the two rivers gather up their innumerable  
tributaries in navigable volume and flow  
off to the sea in opposite directions.

The Yuna empties into the Bay of Samana at  
the east while the Yagui takes a westward  
course to fall into Manzanillo thus giving  
the Dominicans the command of the Mona  
Passage and near access to the Isthmus Pan-  
ama whenever they shall be permitted to avail  
themselves of their peculiar geographical ad-  
vantages — The vast rolling prairies watered  
by the Yuna & Yagui range upward to an  
elevation of something like three thousand  
feet above the level of the sea and the never  
ending summer of the tropics is tempered by  
this altitude to a healthy and refreshing  
coolness — There is probably not a fruit or  
vegetable in general use, or a plant of com-  
mercial value now cultivated on our continent,  
any where between the Equator and the Arctic  
Circle, which cannot be raised with facility  
and profit either on the fertile table lands of

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Savanna or in the surrounding valleys and mountains - For extreme heat they can descend toward the sea board, or if a colder climate is demanded they may select it at will among the graduated mountain heights which rise from it on the other side, thence above Anaco, to the highest limits of cultivation - In sugar, cacao and coffee this region is already known to excel, and the best of wheat and cotton lands are found in extensive tracts among its well watered hill slopes

No country can furnish a greater or better variety of cabinet and dye woods - From what I have personally observed and what all who have travelled in the interior of this island attest nothing can exceed the variety, profusion and value of its precious woods Mahogany, satin wood, tamarind, lignumvite, logwood, fustic and a great variety of useful and ornamental timber as yet scarcely heard of in the United States, stand untouched in thick forests, leagues in extent, not because these treasures are by any means inaccessible but because the science, capital and enterprise necessary to open roads and bring them to market is utterly wanting in the country -

The only people in a position to supply this want with fullness and energy are the citizens of the United States - and up to this time Agents of France, England and Hayti have formally and officially forbidden the Dominican government to allow our people any rights to develop the chief resources of the country.

I have good reason to believe that my presence as the accredited agent of the United States will effect the removal of this suicidal interdiction to American enterprise.

I have travelled extensively in Mexico and Central America but no where have I seen in the same space such capacity of production taking together mines, forests, water power and agricultural resources, as in the central districts of this island.

In addition to these gifts it has such a happy geological formation and such a peculiar and rapid drainage from its high mountain centers, down its great prairie terraces to the sea, as promise the best possible chances for general salubrity. There are many and grave local exceptions to this general salubrity, particularly in some of the mining districts - and in these sea board towns which are located in

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low alluvial deltas at the mouths of rivers, but as a whole I consider the mountainous island of Hayti one of the healthiest countries in tropical America.

In crossing as I did the whole breadth of the island between Puerto Plata and this capital I visited some immensely valuable mining localities, which from the opposition of the negroes have not been worked for sixty years, and are now buried in deep forests.

At one period the gold, silver and copper workings of the Spanish colony of St. Domingo - now the Dominican Republic - returned more than a million a year, coined money, to the royal treasury, but not one of those mines are open at this time.

With the exception of a few languid experiments by a British mine in the "copper fields" of San Christoval - thirty miles from the city - and a little hand washing for gold in the mountain streams there is no attempt to make use of the magnificent mineral resources of the Dominican territory.

A French Company has contracted for the exclusive use and control of all the mines and public forests in the Dominican territory.

in consideration of an advance of a million  
francs and ten per cent of the proceeds

Under the old Spanish law all  
mines belong to the sovereign - Even those  
held by individuals under government con-  
cessions lapse to the state whenever they cease  
to be worked - As there are no mines now in  
operation the French company claim under  
this law all mineral deposits of whatever  
character which may be found within the  
limits of this republic, without respect to the interests  
of the owners of the soil in which they may be situated  
But on the other hand the Spanish law also  
allowed a kind of pre-emption right to those  
who discovered and formally "announced"  
to the government the existence of mines  
on their land, to work them as lessees of the  
crown, on paying a certain proportion into  
the public treasury

The Dominicans generally regard this  
custom as a vested right and the development  
of the wide spread mineral resources of the  
country will lead to serious difficulties should  
the French company persist in denying pre-  
-emption privileges to persons discovering mines  
in their own lands - Whenever the question

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comes up the Mining proclivities of our citizens will be certain to make them parties in the dispute to no small extent.

About twenty five miles from Santiago two Americans - Messrs Crowell & Norton - are engaged with the native owners of the locality in expensive preparations for gold washing on the Rio a tributary of the Yagui. These men are at work in good faith and would be safe under the old and universal understanding of the mining laws, but they may be dispossessed under the new French reading - and all their labor and outlay inure to the benefit of the French company instead of their own.

I see however no indication of the fulfillment of the pecuniary part of the contract by the French company within the allotted time - and it is to be presumed that the Dominican government will have too much self respect to renew engagements which blindly give to an irresponsible foreign company the power to lock up, as in a sepulchre, the most valuable resources of the country. Neither do I think that it will permit its mining interests to remain much longer in this confused and unavailable condition, which all parties

agree in deploring

The general stagnation of industry is visible in the utter neglect of the public highways. There is nothing but mule trails any where in the Dominican Republic, although the peculiar conformation of the island is eminently favorable to the establishment of a perfect network of road and river communication.

Its navigable rivers, particularly <sup>the</sup> Yuna, Yague and Ozama, rise almost in a common center and offer natural channels for the conveyance of the products of its great inland plateaus to excellent harbors in the most desirable directions.

The highest mountain ridges are broken by numerous passes which interlock with the rivers and open easy communication with the seaboard through the descending chain of fertile plateaus which fall in successive steps from an elevation of five or six thousand feet down to the coast level.

The largest of these plateaus, the great plain of La Vega - is a leading feature - in this capability for a splendid system of internal communication, but it also opens a dangerous inlet of invasion from the side of Hayti. While Hayti remains the stronger power and maintains the idea of reconquering the Dominican Republic.

the eastern section of the island can never enjoy an assured tranquillity.

This plain undulates westward in easy waves to the Bay of Manzanillo, which is commanded by Hayti and is the key of La Vega. Hayti has the western shore of this fine bay and from it a hostile force may penetrate the heart of the Dominican territory by the navigable river Yagui and by the Santiago roads, which can easily be made passable for heavy artillery. A very fair road track of eighty <sup>miles</sup> leads from Monte Christi the most western port of this republic and situated on the verge of Manzanillo Bay to Santiago and thence on, steadily further east, to the central town of Concepcion where a conquering army would be completely the master of its position. From that centre a competent general could forage the country and dictate terms to the helpless, disjointed fragments of the white republic.

The Emperor Gaudin made more than one attempt to avail himself of these topographical features for the subjugation of the Dominican Republic but the people under the lead of Genl Santana always rushed in

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may to meet him at the frontier, and thus far they have never failed to drive the Haytiens back within their own limits.

These repeated invasions have laid desolate, from sea to sea, a broad belt of the Dominican frontier. It is a valuable strip of country forty or fifty miles in width; rising inland in lofty mountain ridges, rich in oaks and abounding in Mahogany and other precious woods, and descending on each side North and South to the coast in fine, fertile slopes well suited to the culture of Coffee, Cacao, indigo & Sugar. There are good harbors at both ends of this depopulated border land, but one of them demands special attention as being that Bay of Mancinillo of which I have already spoken as the key of La Vega and a standing menace to Dominican independence.

Commercially and politically it would be an excellent site for a free neutral port if Hayti, and her European allies, would consent to such an arrangement. It is one of the most secure and central harbors in the West Indies and is much better situated for a coaling and distributing depot than St. Thomas for our trade in the Caribbean.

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Sea particularly in the direction of the Estimms routes - It is capacious and well sheltered from the winds most to be feared in these latitudes.

It opens to the east and is protected by a cluster of islanas which taken with the favorable curve of the land gives for the space of four miles a choice of excellent anchorage close in shore with from ten to fourteen fathoms water.

From the Haytian shore the Buzuciers Sagabon river and some smaller streams, but the place for a good sea port is on the Dominican side of Mancerville.

In a confidential interview with the President the exposed and utterly defenceless condition of the Haytian <sup>line of</sup> frontier was brought forward and I frankly advised that the government should declare the depopulated strip of country neutral territory and invite colonists to it from every part of the world by the offer of free homesteads and permanent exemption from the evils and penalties of war; opening the port of Mancerville at the same time to general commerce somewhat on the plan of St Thomas.

By this formal declaration of free trade and

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strict neutrality, this frontier port and territory would be placed under the protection of all the Maritime powers. Their citizens would naturally turn to such a safe and convenient locality for commercial settlement - and thus rise an efficacious barrier to invasion - Hayti would not venture to disturb so many foreign interests by crossing this neutral belt with a hostile force and she is not likely to be very soon in a condition to equip a navy and attack the Dominican territory by sea.

This suggestion of a neutral line of frontier, was made so to speak on invitation, and simply in my private capacity as the personal friend of Genl. Santana - It is quite probable however that it would be accepted and acted upon, should our government see proper to have it officially recommended as a common necessity both to Hayti and this Republic. It would be to us the gain of a free commercial entrepot at the gates of the Gulf of Mexico and Caribbean Sea and might be the means of saving the harassed remnant of the white race on this island from impending destruction. It would certainly give this young State its best chance to lay down its arms and cultivate

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its neglected resources

The representatives of France, England & Spain may oppose the establishment of a free port and neutral stridency on the Haytian frontier, on the same grounds that they have hitherto interdicted the important Bay of Samana to our trade - because it would be too favorable to American property. To open either Samana or Manzanillo would create a perfectly independent stronghold for American commerce - where it is much needed - and where none now exists - at the cross roads of our West Indian & Central American trade.

All the great maritime powers of Europe have colonies of their own in our seas and enjoy all they require in the way of harbors for the shelter, supply and repair of their shipping, in peace or war, and they have no desire to see central and commanding situations like Samana - and Manzanillo ripen into great commercial entrepôts under an independent American flag and wholly beyond their dictation. It was accordingly because Samana would be so convenient and valuable to our

inter-American trade, that the Dominican Government was in 1854-55 so sternly commanded by England, France and Spain not to open it to our commerce - Hayti has always been made a partner in these acts of prohibition because Hayti always claims for the negroes the dominion of the whole island and the agents of all these powers favor the pretensions of Hayti

These observations on the position and necessities of the Dominican Republic are the result of attentive personal investigation and I am irresistably led to the conclusion that this young state must change its whole line of policy, or it will very soon cease to exist as an independent republic and lapse into a negro protectorate on the "Mosquito kingdom" pattern

The terrible insurrection of the negroes, with their wholesale massacres of the whites and half a century of anarchy, mutual slaughter and confiscation, explain for themselves the decadence and bankruptcy which despite the lavish gifts of nature rule the aspect of this island. Yet the Dominican Republic, could it but take its stand as a really American nationality, has within itself the most encouraging elements of prosperity - It has a compact

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territory; is admirably situated at the intersection of the new pathways of trade with which steam and <sup>the</sup> interchanges are revolutionizing commerce; is richly endowed in natural resources and except on the side of Hayti is protected by sea from entangling and divorcely neighbors - while but for the question of races it has a pre-eminently docile and easily governed population

In extent, population, general capabilities and political responsibility it compares favorably with most of the Central American States and perhaps no one measure would go so far towards securing an independent and hopeful future for this isolated republic as an honorable recognition by the United States

I have only to add that after many delays I arrived in this city on the 14<sup>th</sup> inst. and thus closed a long and close tour of inspection across the country

On the 15<sup>th</sup> I presented my credentials to Don Miguel Larrañaga, the Minister of Foreign Relations, who immediately arranged a confidential interview with President Santana - This conference embraced the leading points of common interests to both

republics and was extremely suggestive, but  
I regret to say it decidedly confirmed what  
I have herein stated of the difficult posi-  
tion and gloomy prospects of the Dominican  
Republic

I have the honor to be Sir

Very Respectfully Yours Ht. Servant

William L. Cayman

#

831

Re-20. Dec Mr Munster ✓  
Dispatch No. 2.

856

Santo Domingo July 2<sup>d</sup> - 1859

Hon<sup>ble</sup> Lewis Cass

Secretary of State

Sir

Since I had  
the honor to address you on the 19<sup>th</sup> ultimo.  
I have had an interview by special  
appointment with Don Miguel Saravida  
on the subject of indemnifying the owners  
of the Schooner "Charles Hill" for her unjust  
confiscation by order of ex-president Baiz.  
The minister admits in effect the wrongful  
seizure of the "Cha<sup>l</sup> Hill" but pleads that  
it was not the act of the present government  
and that the United States ship of war  
"Colorado" was on the ground in time June  
1858) to have forced the perpetrators of the  
wrong, who were still in possession of the  
government, to make restitution. Having  
failed to do this, and those who responsi-  
bly seized the "Cha<sup>l</sup> Hill" having permitted the  
case to go through the Courts without appeal  
and so become of judicial record the

85-7

<sup>minors</sup>  
existing government, that it ought not  
to be made responsible for actions  
in which it had no part or voice.

The reply to all this is obvious. The  
Dominican government, however repre-  
sented by successive individuals, has a single  
and continued existence or it has no  
nationality. As a nation it must always  
be responsible to other nations for its proce-  
dings at all times - but the fact is, this cabinet  
cannot seriously expect to escape a fair  
settlement of this claim. Its only anxiety  
is to avoid all foreign questions until it  
has time to meet and overcome the revolu-  
tionary difficulties now besetting it.

It is an unfortunate crisis for pres-  
sing the claims of our citizens, but something  
has been done towards putting the "Charles  
Hill" case on a safe basis for future pay-  
ment. Leading members of the <sup>Senate</sup> have assured  
us that a resolution recommending an  
early settlement of this claim shall be  
brought up and passed by the "Senate  
Consultor" which is now in session as a  
Legislative body.

There is no money in the treasury

There is no specie in the country - and  
 I see no way in which any can be found  
 except through a more active foreign  
 trade - To aliment this, productive in-  
 -dustry must revive, and increased pro-  
 -duction is not to be hoped for while one  
 half of the bone and sinew of the land  
 is taken from tillage to carry the musket

# The Baz party, which aims at  
 placing the supreme power in the hands  
 of the negroes, was defeated and driven  
 from the city in July 1858, after sustaining  
 a siege of eleven months, but it is far from  
 extinct - Its leaders rely on the sympathy  
 of England, ~~and~~ France and Spain, because  
 the agents of those powers have invariably  
 lent their counsils and countenance to  
 the negro party - The chiefs of this party  
 are undoubtedly planning an insurrec-  
 -tion in favor of Baz, and should they  
 succeed there is an end to the rule of  
 the whites in the Dominican Republic  
 The white race will be despoiled of pro-  
 -perty and citizenship if not life

At present the Cabinet, Congress  
 and high courts are filled by white men

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to an extent unparalleled in most of the Spanish American States. But the restoration of Baz, or the annexation to Hayti so strongly but secretly urged by France & England, would sweep them out in maps, to be replaced by blacks selected from the class most bitterly opposed to American interests.

Baz was negotiating with France and Spain for the return of the Dominican territory to European vassalage - at the time he was expelled the country, and every overture he made in that direction was accompanied by the most atrocious insults to the American flag.

The seizure of the Schooner Charles Hill was one of the many legacies of trouble which he left to this administration but all other embarrassments sink into insignificance by the side of the fraudulent and premeditated bankruptcy into which he plunged the nation by his enormous issue of paper money, which the country received no equivalent whatever.

The Dominican Government had previously issued a considerable, but by no means overwhelming amount of paper currency.

Dec

This national currency circulated at  
sixty or seventy "papelitos" to the silver  
dollar when Baz was came into power -  
During his administration he entered upon  
the manufacture of this paper by millions  
His agents scoured the country with large  
quantities of it, buying up and shipping to  
Europe tobacco, mahogany, dye woods, every  
thing in short that could be exported and  
placed beyond the limits of this Republic

As the inevitable consequence of this  
wholesale manufacture and distribution  
of paper currency, it rapidly depreciated  
and towards the close of his rule the  
papelitos passed at the rate of three thou-  
sand to the dollar or as they reckoned among  
among Merchants 58.000 to the souloón

# After Baz had exhausted his finan-  
cial game and it was evident that he must  
make a speedy escape from Santo Domingo  
within whose walls Genl. Santana had caged  
him. The European Consuls intervened in  
a body to procure his safe retreat by capi-  
tulation. In advance of this capitulation  
however - so the government affirms - some  
of these consuls collected large quantities of

this Barez paper at unknown prices, but the public rate of exchange at the time ranged from \$50.000 to \$50.000 "papelitos" the doubloon

On the re-establishment of President Santana as constitutional President, it became one of the first cares of the government to dispose of this flood of equivocal papelitos. The large army of holders naturally desired to have it placed on a par with the earlier issues of national currency, which all parties recognized as legitimate, and the heavy speculators in it were of course the most clamorous of all.

It was finally decided by act of the Legislative power, May 5<sup>th</sup> 1859, that it should be redeemed and cancelled at the rate of 32.000 "papelitos" the doubloon. This was an advance of 20, or 30 per cent. on the rates at which Barez left it. But this did not satisfy the wholesale dealers in the Barez issues, although this vast addition to the paper circulation reduced its value from the old Santana standard of 100 or 70 papelitos to the dollar to two hundred.

The Consuls of Spain, France & England protested against this act of the Dominican Legislature and officially notified the Minister of Foreign <sup>affairs</sup> that they would consider it null.

and void so far as it concerned the citizens of their nations. "Mr. Lavastida, the Dominican Secretary of State, returned them note as a document which he could not lay before the Executive because of its "deficiency in the moderate tone which civilized nations are accustomed to use in their international relations" and also on account of the "inconceivable want of knowledge of National Rights" displayed by the Consuls in assuming to "exercise a veto power over the acts of the Dominican Legislature". The Consuls persisted in their demands to have the currency endorsed in full by the government, and finally struck their flags and left the country because it was not conceded.

This correspondence is signed by Bartolomé the Consul for France, who also brought in Denmark and Sardinia by implication, as he was acting for those governments in the absence of their Consuls; by Martin S. Hood the English Consul; by David Leon his Vice and by J. Baraldo Consul for Spain & Holland, but there is no evidence that any private citizen of the countries they respectively represented held much of the Bay money.

863  
The British Consul and Vice  
Consul - are reported to have had extensive  
dealings in it, but the course of the French  
and Spanish - who had no personal interest  
involved must have been actuated by purely  
political motives

The three Consuls Santander of France,  
Wood of England, and Peralta of Spain are  
supposed to have acted strenuously - though  
secretly - together to effect the annexation of  
the Dominican Republic to Hayti - and this Santander  
and his party will oppose to the last gasp -  
With reason, for incorporation with Hayti  
would be a death warrant to their hopes of  
creating a free and prosperous Republic on  
this island - If the government of France,  
England and Spain are really determined  
on the suppression of the Dominican Repub  
as many members of this government fear  
the measure would be suitably initiated by  
a formal suspension of friendly relations

Although this government has signed  
a truce with Hayti it has an overpowering  
dread that this movement of European displea  
sure will find vent in that direction or in  
the forcible restoration of Burg - and I am

reliably informed it is secretly supporting the return of the Consuls - Should they come back strongly supported in their demands by their governments, I do not see how the Republic can maintain its independence.

It is on account of its unfortunate bearing on the future destiny of this island that I have given so much space to the "papete" question - No representative of the United States can look on with entire indifference while the immediate death or renovated existence of the only State in the West Indian Islands covered by an American flag is a problem at the point of solution -

It is painful to see this government so completely subjugated by its fears of a European coalition with Hayti. It feels the need of closer relations with the United States; it desires the stimulus of a more extended trade - and is perfectly aware that good ports would be of the greatest possible benefit to its own people, but it is afraid to act lest it should seem like making concessions to American interests -

Nevertheless the Dominican Executive has come to the resolution to open

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the port of Samana in the course of a month or two. I am promised that this shall be done in any event, though this government would be glad to have the step preceded or followed by a treaty, similar to those made by the United States with all the other Spanish American Republics.

The Bay of Samana is naturally one of the best positions for inter-American trade to be found in our seas. It may be described as a choice series of landlocked harbors congregated in a bay thirty miles deep from east to west by eight wide from north to south. This bay opens to the Mona passage with Porto Rico on the opposite side of the strait, distant about sixty miles from the eastern point of this island. It lies well to the windward of Cuba, Samana, the Gulf of Mexico and most of the Islands crossing the largest fleets may ride in safely in the spacious bay and find in it every facility for repairs and supply. The high and fertile peninsula of Samana abounds in wood, water and provisions. It is distinguished for the excellence of its ship timber, and much of it is very convenient to points which

competent Spanish, French English & American  
officers have reported as eminently advantage-  
-gious sites for naval purposes.

The river Yuna, which might be  
navigated by light draft steamers perhaps fifty  
miles, falls into the western end of Samana Bay  
after draining one of the most fertile districts  
of the island. It is now but thinly peopled  
and the land mostly given up to pasturage,  
but under more favorable circumstances it  
would contribute large quantities of Sugar,  
Coffee, Cacao, Tobacco &c for exportation. Most  
of this will be carried in American ships to  
be exchanged in our markets for flour,  
salt provisions, cotton fabrics, farming  
implements and other productions of American  
industry. This trade must fall to our ship-  
-ping whenever it has an equal chance in the  
race with European vessels.

I hope to induce the Dominican govern-  
-ment to place American merchantmen on a par  
with those of the most favored nations when or  
at least very soon after the port of Samana  
shall be declared open to commerce.

With great respect I have the honor  
to be your very Obedt. Servt.

William L. Cogswell

Recd Sept 2

Mr Amuckee

832

Santo Domingo July 11<sup>th</sup> 1859

Hon Lewis Cass

Secretary of State

Sir

I had the honor to receive this day - No. 2.  
bearing date of June 4<sup>th</sup> - Your instructions in  
relation to the seizure - in May 1857 by the authorities  
of Puerto Plata - of Two hundred and seventy five  
thousand dollars Dominican currency, equal to  
four thousand U.S. the property of William A.  
Read of Boston -

I will obtain from Mr. Elliot the United States  
Commercial Agent the full particulars in the case  
and immediately demand its restitution as instructed -

The Dominican Currency at this present date  
is estimated at two hundred to the dollar but specie  
cannot be bought at a better rate than two hundred fifty.

I shall make the demand for four thousand specie  
with interest from date of seizure - or its equivalent.

Since my interview with the Minister of Foreign  
Affairs concerning the claims of the owners of the  
Charles Hill, of which I had the honor to inform  
the Department of State under date of July 2<sup>nd</sup> No. 2.  
The President Santana, in consequence of some  
indisposition, has called the Vice President General

~~John A. ...~~

833

Read Aljan, temporarily to the Presidency - a Member  
of the Cabinet is also seriously ill.

The other Ministers informed me that they,  
were much pressed with official business, being compelled  
to delay action in many <sup>cases</sup> in consequence of sickness in the  
families of members of the Government. The City is unusually  
sickly, scarcely a family escaping. For this reason I  
have refrained from giving a settlement of this  
claim of one citizen, as I did not think it politic  
at present, with so much affliction, to give a definite  
answer from the Government.

I have the honor to be, Sir,

Your very obedient servant

William L. Vazquez

Recd Aug 29

Mr Mac Kie  
868

Duplicate of No. 2.

State Exchange, July 2<sup>nd</sup> 1859

Hon<sup>ble</sup> Lewis Cass

Secretary of State

Sir

I had the honor to receive this day, the 2<sup>nd</sup> having date of June 3<sup>rd</sup> your instructions in relation to the seizure in May 1857 by the authorities of Puerto Plata of two hundred and seventy five thousand dollars Dominican currency, equal to five thousand United States - the property of William A. Head of Boston.

I will obtain from Mr Elliot the United States Commercial Agent, the full particulars in this case, and immediately demand its restitution, as instructed.

The Dominican currency at this present date is estimated at two hundred to the dollar - but specie cannot be bought at a better rate than two hundred & fifty.

I shall make the demand for five thousand specie with interest from date of seizure - or its equivalent.

Since my interview with the Minister of Foreign Affairs, concerning the claim of the owners of the "Charles Hill" - of which I had the honor to inform the Department of State under date of July 2<sup>nd</sup> - No 2 -

President Santana, in consequence of some indisposition, has called the Vice President, Genl. R. Alfaro, temporarily to the Presidency and a member of the cabinet.

869

is also seriously ill. The other Ministers informed me  
that they were much pressed with official business,  
being compelled to delay action in many cases, in  
consequence of sickness in the families of members of  
the government. The city is unusually sickly; scarcely  
a family is escaping. For this reason I have refrained  
from replying a settlement of the claims of our citizens, as  
I did not think it politic in presence of so much afflic-  
tion, to give a definite answer from this Government.

I have the honor to be Sir

Your Very Obedient Servant.

William L. Gwynne

Rec'd Sept 2d.

Mr. Lincoln  
834

Dispatch No 4.

Santo Domingo July 23<sup>d</sup> 1859

Hon<sup>d</sup> Lewis Cass

Secretary of State

Sir

Two days after I received the instructions in relation to William A. Read's claim the receipt of which I had the honor to acknowledge the same day, July 14<sup>th</sup> recd. the frigate Sabine Capt Adams arrived. It being Saturday I could not make application to the government until Monday the 18<sup>th</sup>.

On Sunday I visited the ship and communicated to Capt. Adams the state of affairs here as he expressed a desire to make as short a stay as possible. I immediately addressed a note to the Minister of Foreign Affairs calling his attention to the opinion and expectation of my government in relation to <sup>the</sup> case of the Schooner Charles Bill as set forth in the communication from the Hon<sup>d</sup> Secretary of State under date of Apr<sup>l</sup> 8<sup>th</sup> and urged the prompt concurrence of the Dominican government ~~therein~~ also in compliance with instructions requested ~~the~~ the attention of the government to the arbitrary acts of ~~the~~ of the Authorities of Puerto Plata in the of the Dominican currency belonging to William A. Read.

and asked that he be indemnified - at least - by the payment of the value of his Dominican currency at the time that he was wrongfully deprived of the use of it, with the addition of interest from November 9<sup>th</sup> 1857 the date of its seizure.

In the answer to this note which I received July 21<sup>st</sup> the Minister explains that Mr. Read should have called on the United States government before he made application to the Dominican and also states that "a special commission had been appointed to investigate all claims against the government and that Mr. Read is aware that those who held just claims against this government had been indemnified. He also states that the actual Administration is ignorant of his case and has this day asked information of the Administrative at Puerto Plata and says that Mr. Read can notwithstanding present himself at the office of the Treasury with the documents that support his claims to give at least an idea of the matter and some explanations to make it clear to the government of the Republic."

In reference to the claim against this gov<sup>t</sup> in behalf of the owners of the Charles Hill - The Minister says - "In consequence of the death of Mr. Paulson Minister of Justice the cabinet of the Republic have been prevented from taking cognizance of the sentences and other

"Judicial acts which occurred against the Dominican Schooner 'Charles Hill' - and further says 'I will occupy myself with activity in this matter in order to answer you upon this claim which you make in the name of your government'"

After the receipt of this letter I had a conversation with Mr. Read who extends his first declaration a certified copy of which I enclose. He also at my request called at the treasury department with the receipt of the collector and the certificate of the Merchants of Puerto Plata respecting the value of Dominican currency during the month of Dec<sup>r</sup> 1857 and for the purpose of giving such information on the subject as might be required. He informs me the Secretary treated him very indelicately and refused to give any information except the receipt and certificate which in a few hours afterwards <sup>he</sup> returned to Mr. Read demanding of him the originals - As they were on file at the consulate and the copies forwarded him were officially authenticated by the United States Commercial agent at this place I deemed them sufficient. So far I have not been able to obtain information respecting the Commission alluded to in the same letter. Both Mr. Elliot and Mr. Read are ignorant of the existence of such a commission. I will endeavor to inform myself further on this subject.

837

I have also requested Mr Elliot to write to his Agent  
Mr Litton at Puerto Plata for copies of his correspondence  
with the provisional government and any other  
information he may have in regard to this affair.  
I am satisfied the Secretary of the Treasury will offer  
very obstacles to the claim of Mr Read. He is much  
prejudiced against our citizens and government  
and I fear this just claim will not be settled  
without the presence of a U. S. ship of War with  
power to enforce.

I have had conversations with several of  
the Senators and have strong hopes that the Charles  
Hill claim will be adjusted satisfactorily - that  
is they will recognize the claim - they have nothing  
to pay with - I shall use my best endeavors to  
obtain a satisfactory settlement of both these cases.

I must ask the indulgence of the Department  
as this letter has been very hurriedly written.

I have the honor to be Sir

Very Respectfully

William L. Gwynne

After the seizure of my money at Port au  
Platte and Mr. Litthgow U.S. Vice Cons.  
~~Agent~~ had given me the Receipt from  
the Collector of the Custom House for the  
same, I several times demanded of Mr. Puyol  
the Treasurer if he intended to return me  
my money, & all the satisfaction I could  
obtain from him was that he could do  
nothing without orders from his Gov<sup>t</sup>.

I then applied to Mr. Litthgow & requested  
him to write the Gov<sup>t</sup> which he did, &  
the answer he received was that they were  
willing to give me Bonds at \$1200. paper, to the  
value of \$16. Spanish, (receivable only in duties  
at the Custom House) & as I should have  
been obliged to dispose of these Bonds at  
a great discount even in Paper Money &  
likewise as I wished to settle up my business  
& leave the country, I refused to receive them.

I afterwards returned to this City &  
laid my case before the U.S. Consul here.

This is a true & complete Statement  
of what occurred at Port au Platte.

City of St. Domingo  
July 23<sup>d</sup> 1859

Wm. J. Neely  
" J "

839

Personally appeared before me  
Wm. A. Read and made the foregoing  
a addition to his declaration of April  
10<sup>th</sup> 1859 and made solemn oath to  
the same

In testimony whereof  
I have hereunto set my hand  
and seal of office at the  
City of St. Domingo this 23<sup>d</sup>  
day of July A.D. 1859

Jonathon Ellis  
N. S. Comm<sup>r</sup> & Cyp.

Recd Aug 29

Mr. James B. 842

Duplicate of No. 4

Santo Domingo July 23. 1859

Hon. Lewis Cass

Secretary of State

Two days after

I received the instructions in relation to William  
A. Read's claim - the receipt of which I had the honor  
to acknowledge the same day, July 14<sup>th</sup> (No. 3) - the  
Sigate Sabine, Capt. Adams, arrived - It being  
Saturday I could not make application to the  
government until Monday, the 18<sup>th</sup>

On Sunday, I visited the ship and commu-  
nicated to Capt. Adams the state of affairs here  
as he expressed a desire to make as short a stay  
as possible, I immediately addressed a note  
to the Minister of Foreign Affairs, calling his  
attention to the opinion, and expectation, of my  
government, in relation to the case of the schooner  
"Charles Hill," as set forth in the communication  
from the Hon. Secretary of State under date of April 8<sup>th</sup>  
and urged the prompt concurrence of the Gov. of this  
I also, in compliance with instructions, requested  
the attention of the government to the arbitrary acts  
of the authorities of Puerto Plata, in the seizure of  
the Dominican currency, belonging to William A. Read  
and asked that he be indemnified at least by

the payment of the value of his Dominican currency at the time that he was wrongfully deprived of the use of it, with the addition of interest from November 9<sup>th</sup> 1887 - the date of its seizure.

In the answer to this note, which I received July 21<sup>st</sup> the minister complains that Mr. Read should have called on the United States government, before he made application to the Dominicans, and also states that "a special commission had been appointed to investigate all claims against the government and that Mr. Read is aware that those who held just claims had been indemnified." He further states the actual administration is ignorant of his case and has this day asked information of the administrator at Puerto Plata and also says "Mr. Read can notwithstanding present himself at the office of the treasury with the documents that support his claims to give at least an idea of the matter and some explanations to make it clear to the government of the Republic."

He refers to the claims against the government in behalf of the owners of the Charles Hill. The minister says "in consequence of the death of Mr. Paulson, Minister of Justice, the cabinet of the Republic have been prevented from taking cognizance of the antiques and other judicial acts which occurred against the Dominican Senator Charles Hill." and further says

"I will occupy myself with activity in this matter in order to answer you upon this claim which you make in the name of your government."

After the receipt of this letter I had a consultation with Mr. Read & met on the 10th a certified copy of the extension of his declaration of 10<sup>th</sup> of April. He also at my request called at the Treasury Department with the receipt of the collector, and the certificate of the merchants, respecting the value of Dominican currency during the month of November 1857, and for the purpose of giving such information on the subject as might be required. He informs me the Secretary treated him very rudely, and refused to receive any information, except the receipt and certificate, which two documents afterwards he returned, demanding of Mr. Read the originals. As the originals were on file at the Consulate, and the copies tendered him by Mr. Read, were officially authenticated by the United States Commercial Agent at this place. I deemed them sufficient.

So far, I have not been able to obtain information respecting the commissions alluded to, in the Minister's letter. Both Mr. Elliot and Mr. Read, are ignorant of the existence of such a commission. I will endeavor to inform myself. I have also requested Mr. Elliot, to write to Mr. Sitgen, the U. S. Vice Commercial Agent at Puerto Plata, for copies of his correspondence with the provisional government and any

state information he may have in regard to this affair

I am satisfied the Secretary of the Treasury will offer every obstacle to the claim of Mr. Read. He is much prejudiced against our citizens and government and I fear this just claim <sup>will not be</sup> settled without the presence of a United States Ship of War with power to enforce payment.

I have had conversations with several members of the Senate Committee and have strong hopes that the "Charles Will" claim will be satisfactorily adjusted that is they will recognize the claim. They have nothing to pay with. I shall use my best endeavors to secure a satisfactory settlement of both these cases.

I have the honor to be, Sir,

With great respect Yours, Sir,

William L. Gagneau

L

After the seizure of my money at Port au  
Platte and Mr. Lithgow U.S. Spec. Comm.  
Agent had given me the Receipt from the  
Collector of the Custom House for the same,  
Several times demanded of Mr. Piquet  
the Treasurer, if he intended to return  
me my money & all the satisfaction I could  
obtain from him was that he could do nothing  
without orders from his Gov<sup>t</sup>.

I then applied to Mr. Lithgow & requested  
him to write to the Gov<sup>t</sup>, which he did,  
& the answer he received was, that they  
were willing to give me Bonds, at \$1200 paper  
to the value of \$16 Spanish (receivable only  
in duties at the Custom House), & as I  
should have been obliged to dispose of  
these Bonds at a great discount, even in  
paper money, & likewise as I wished to  
settle up my business & leave the Country,  
I refused to receive them. I afterwards  
returned to this City & laid my case  
before the U.S. Consul here. This  
is a true & complete statement of what  
occurred at Port au Platte.

Jm. A. Read

Before me Jonathan Ellison, Consular  
Agent of the United States of America  
personally appeared William St. Riea  
a Citizen of the United States - and  
declared the foregoing to be his  
additional evidence to his declaration  
made April 10<sup>th</sup> 1859 on file in this  
Consulate and made solemn oath  
to the same

In testimony whereof I  
have hereto set my hand  
and Seal of Office at the  
City of St. Domingo this  
23<sup>d</sup> day of July A. D. 1859

Jonathan Ellison  
U. S. Consul

Rec'd Aug. 29

Mr. Mac Lean

850

Dispatch No 5.

Santo Domingo July 30<sup>th</sup> 1859

Hon<sup>l</sup> Lewis Gass

Secretary of State

Sir

It would be impossible to convey to my Government a correct idea of the present situation of the claims of our Citizens against this government unless at the same time the extraordinary fact is taken into consideration that the very existence of the Dominican Republic, as an independent Nationality, may at any moment be exposed to an abrupt termination

I have before detailed in dispatches nos. 1 and 2. June 19<sup>th</sup> and July 2<sup>d</sup> the embarrassments attending President Santana's return to power and now, after two months close personal observation, my doubts as to the possibility of his maintaining the independence of the republic, should any additional burden of unpopularity be suddenly forced upon him, are decidedly confirmed

no. 2  
indivisible  
Jalisco

The treasury is utterly bankrupt. There is no coined money of any kind to be seen in circulation and the whole country is overwhelmed with a paper currency which in its intrinsic worthlessness and rapid depreciation can only be compared to

the "continental money" of our own revolutionary days,  
 All the European Consulates still remain closed  
 for the allged reason that their respective citizens  
 were wronged by the repudiation of the Baz currency  
 as I explained in Dispatch No. 2.

Many members of this government regard  
 the simultaneous abandonment of the Dominican terri-  
 tory by the corps of European Consuls as something  
 like a combined declaration of outlawry against  
 the Dominican Republic in consequence of its refusal  
 to incorporate with Haiti on European recommendation

Whether these circumstances should have any  
 influence on the time and manner of enforcing the  
 just claims of our dispossessed citizens is for the wisdom  
 of my government to determine at the suitable moment

In the cases of William A. Read and the Schooner  
 "Charles Hill" my dispatches of July 14<sup>th</sup> and 23<sup>rd</sup> (Nos 3  
 and 4) forwarded through the U. S. Consul at St. Thomas  
 of which I herewith enclose duplicates will show my  
 course up to the 23<sup>rd</sup> inst.

In the Read case I soon ascertained that the  
 Board of Commissioners to whom Lino Lavastida ap-  
 pealed Mr Read could have applied for redress, had in  
 fact no jurisdiction in the matter. This Board was  
 created for the special and sole duty of verifying  
 the actual condition of the depreciated paper currency

and other evidences of the public debt, with a view to report what portions of it should be accepted as valid and what rejected as spurious, and of course no one knew better than Señor Savastida who had assisted in framing it, that it had no power to deal with Mr. Read's case. When the official report for which he has called shall arrive from Puerto Plata I will lose no time in urging an immediate settlement of the claim.

In the "Charles Hill" case I have to contend with the same pre-determination to evade a fair settlement. On the 27<sup>th</sup> inst. I addressed another note to the Minister of Foreign Relations expressing a deep regret that "any invitation on the part of a government with which mine sincerely desires to cultivate the most friendly relations should compel me to make these repeated demands for the fulfilment of an act of justice which it concerns the honor of both republics to bring to a prompt adjustment." I also added that as there was really "nothing new to learn and nothing doubtful to discern" in the "Charles Hill" case I must be permitted to press for an immediate and definite answer on the subject of indemnity.

On the 28<sup>th</sup> inst. I received a labored note from Mr. Savastida professing in reference to the note from the Department of State of April 8<sup>th</sup> inst.

fact having nothing to the purpose in its support the  
 acquisitions of our government by laying all the respon-  
 sibility on the courts "with which the Dominican govern-  
 ment never interferes" and all the blame on Captain  
 Smith of the "Charles Hill" for leaving the country  
 instead of appealing to the Superior Court which the  
 Minister coolly asserts was entirely open to him. If  
 this note means any thing - which strictly speaking it  
 does not - it would imply an absolute denial of justice  
 I hope to dispose of these special pleadings and remit  
 to the Department with my next despatch copies of the  
 entire and complete correspondence -

The presence of the U. S. Frigate Sabine has been  
 of much advantage here inasmuch as it is a proof that  
 our government is watching over the welfare of its citizens  
 abroad; but it is an inconceivable drawback to the peace  
 and safety of American interests in these waters that our  
 Naval Officers have not as much power to  
 enforce summary redress when our people are outraged  
 by these revolutionaries and irresponsible simblances of  
 government, as the Officers of France and England  
 invariably employ, in conjunction with their civil  
 representatives, whenever French and British subjects  
 are despoiled in like manner -

The knowledge that our Officers have no power  
 to redress such wrongs while the wrong-doer is yet in a

position to answer for his acts is the short and simple  
explanation of nine-tenths of the lawless atrocities which  
the fierce anarchy about us have for years past been  
in the habit of inflicting upon the citizens of the  
United States

I have the honor to be Sir

Very Respectfully Yours Sir

William L. Gayneau

870

St Domingo

October 17/59

My Dear Mr Buchanan

Our residence here has been little better than an ineffectual round of sickness and privation yet for worlds I would not have failed to come and learn what we have learned. We see and I believe the whole Union will soon fully comprehend the change which the firm yet considerate policy of your administration is working in the whole Spanish American sentiment. Unquestionably your present action is working out the social and political salvation of the Dominican Republic. It was positively at its last gasp as an independent state in which white men had a right to live in freedom & security. One party was soliciting the return of their old European masters, another intriguing for annexation to Hayti and even the small minority capable of understanding the real

wants of the country had given up the hope of satisfactory relations with the United States. President Santana and his possible successor Jose Balcerde of Santiago are of the party of 'Independencia and Progreso' and they have been much strengthened by the presence of an American agent during the severe crisis the Republic is now undergoing. General Cayman landed on the north coast at Puerto Plata and traversed the country from side to side through the troubled districts and thus had an opportunity to disabuse them of the idea that the United States want to annex this island. This is black phantom of the colored races and is always paraded when their chiefs plan a revolt. American rebels, American land holders and American sympathizers had almost vanished from the sight and thoughts of the Dominicans when your agent presented himself.

There was no time lost in renewing old friendships with members of the cabinet.

and a standing Senator (Senator  
 consultant) and in awakening better  
 ideas than that of submission to Hayti

Before leaving New York my husband made  
 thorough inquiry of leading merchants as to the  
 condition prospects and capabilities of  
 the trade with St Domingo. He found there  
 was no difficulty in making it a respectable  
 feature in American progress could it but  
 be relieved from the doubts and restrictions  
 which have gradually suffocated it. He  
 made it his business therefore to convince  
 this cabinet of the necessity of abandoning  
 its suicidal course and he has perfectly  
 succeeded as will be evident to all the world  
 in another month or two

Our merchants wanted the free use of the  
 safe and commodious harbor of Samana  
 and Samana is open to them now. Our  
 citizens wanted access to the mines for this  
 is another California, and this concession  
 will be made whenever you authorize a  
 a treaty with the Dominican Republic.

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When the question of a full act of recognition by formal treaty is brought forward the answer has been that with such questions as the Charles Helt and Wm A. Read claims unadjusted no discussion can be thought of on more remote points.

These claims will be soon settled and I entreat you in justice to your own fame and in behalf of this isolated young state not to leave the Dominican Republic much longer out of the pale of United States recognition

Up to this time there has been no day in which I have not been on a sick bed myself or weeping and watching at the side of fever stricken members of my family but with the approach of the dry season our health and hopes take new life But in all times and under whatever circumstances the ruling thought is to accomplish well the duties before whatever they may be

Very Respectfully  
J. M. Capron

875-

Mr. J. M. Cagney

St. Domingo,

October 16, 1839.

Present condition of  
the Dominican Republic,

to.

18 Nov: 59. Referred to

the State Department.  
J. B.

Re. H. Now.

✓ 876

Santo Domingo, October 17<sup>th</sup> 1859.  
Hon<sup>ble</sup> Lewis Cass.

Secretary of State of the U.S.  
Washington, D.C.  
Sir,

Since I had the honor to address the Department, of the date of July 28<sup>th</sup> (No 5) the Dominican Republic has narrowly escaped a fatal revolution. The Baez party, which is seeking annexation to Hayti, as a means of excluding the white race from the Island, had concerted a general revolt to take place in all the districts simultaneously, in which the negro elements largely predominated. The time at first fixed upon was probably postponed in consequence of the appearance of an Agent of the U.S. with instructions to ~~press~~ exact immediate indemnity for the robberies perpetrated by this same Baez party on American citizens in 1858, when it had possession of Santo Domingo. The visit of the Sabine at the critical moment may have suggested the possibility of a resort

to strong measures, should the very men who had so grossly insulted our flag, and plundered our traders, be found in a situation to be forced into an immediate reparation. It was almost publicly said by the Bay leaders, in the city of Santo Domingo, that it would weaken Santana and help their cause should the existing Cabinet be forced to raise the required money by some arbitrary measure, and there was no other way of getting it, for the Treasury was empty, and every regular resource was exhausted. Besides the mere fact of paying a debt, due to American citizens, would make capital for them in certain districts, by their representing that it was done to counter white emigration.

As it happened the Sabine left without giving the revolutionists any new capital and the 20<sup>th</sup> of September was then given out as the time for the interior towns to raise simultaneously the war cry of "Trázan

"Las Negras", and expel the whites from the country.

President Santana had been aware for some time of the existence of the general plan of revolt and had made some arrests among the most violent and noisy propagandists, in the city of Santo Domingo; but he did not feel justified in taking severe measures, until there was some overt act of rebellion. These arrests, or some mis calculation among the leaders, seem to have hurried the important town of Azua, on the South Coast, into taking up arms near two weeks in advance of the concerted period. This mistake enabled President Santana to throw a thousand men from his own devoted province of Seybo into the centre of revolt and crush it out, before the other confederates had time to come to the support of Azua.

Some eighty persons have

been arrested and sent out of the country, and eight of the Agan-  
nig leaders were shot. Two more  
are now under trial. Many sup-  
pose that peace is securely re-  
established; but I think that it  
will require two or three months  
to decide that point.

I have been prostrated by  
intermittent fever for several  
weeks, and am even now confined  
to my bed, and consequently am  
compelled to employ an aman-  
uensis, but, notwithstanding this,  
I have had several full and con-  
fidential interviews with the Min-  
ister of Foreign Relations, and  
with the President himself, on  
the subject of American claims,  
and interests, and have obtained  
meanwhile some concessions  
which I believe will prove of  
high value to our trade and citi-  
zens. At first there was an ex-  
treme disposition to resort to all  
manner of coercion, but I steadily

pressed forward the main issues, and am now satisfied that the chief obstacle to the settlement of the Charles Hill claim is the fear to take any step whatever, which can be perverted into an appearance of good will to the Americans, lest it be used by the revolutionists to excite the negroes against the Santana Administration.

Yet in the face of these troublesome considerations, and with the volcano of a half extinguished revolution under his feet, President Santana has had the courage to open the central and splendid port of San Juan to our Commerce. The European Agents have always insisted that San Juan should remain closed to commerce, as the leading Powers of Europe had no use for it with so many ports of their own on our coast and were not willing that one so

shedsly American in its character and so pre-eminent in natural advantages, as San Juan should arise in the very centre of the Caribbean sea, to compete with them, and to become the centre of a vast inter-American trade.

The Bay of San Juan is an unrivalled harbor combining within itself every advantage for the supply of vessels, abounding in wood, water, coal and provisions; and its commanding position on the Mona Passage makes it the natural entrepot of an immense trade between the United States and all the countries on and around the Caribbean sea.

In addition to this decided measure the Dominican Government has given me the most unequivocal pledges to reduce the tonnage duties on American vessels, and to place our trade

in that and all other respects  
are the footing of the most favored  
nations without waiting for a  
formal treaty to that effect.

I should also have stated  
that I have removed one obstacle  
by inducing the "Senado Consultor"  
to recommend an immediate and  
liberal adjustment of the "Charles  
Heide" claim altho it was urged  
in the debates that the claim was  
rather exorbitant.

I have the honor to be,  
Sir, Yours very respectfully

Very respectfully

Your obedient servant

William F. Gayne #

P.S. I send to the Depart-  
ment by this vessel the "Samuel  
R. Atkinson" a new Map of the  
Republic just received here which  
is represented to be more full  
and correct than <sup>any</sup> hitherto published.

W.F.G.

*[The page contains faint, illegible handwriting, likely bleed-through from the reverse side.]*

Re Mr. Nor. Mr. Uhm

884

Santo Domingo

October 17<sup>m</sup> 1859.

Hon Lewis Cass

Secretary of State of the U.S.  
Washington, D. C.

Sir,

In accordance  
with my Instructions dated  
April 7<sup>m</sup> 1859. I have this  
day drawn upon the Depart-  
ment at sight for Six Hun-  
dred Dollars in favor of Wil-  
liam A. Read Esq<sup>r</sup> of this place.

I have the honor to be

Sir,

Very respectfully.

Your obedient servant-

William L. Cayneau



# Re 14. Jan.

886

Dispatch No 7.

Santo Domingo Dec. 13<sup>th</sup> 1859

Hon<sup>ble</sup> Lewis Cass

Secretary of State

I had the honor  
to lay before you in former communications  
the peculiar circumstances in which the  
Consuls of England, France and Spain,  
closed in a body their official relations  
with the Dominican Government and left  
the country.

I have now to add in continuation  
that on the 30<sup>th</sup> ult. three vessels of war—  
two French and one English—arrived here.  
with their respective Consuls, and immediately  
afterwards they were joined by a Spanish war  
steamer having on board the Spanish Consul.  
Before any of them landed this government  
was notified by the French and British  
Consuls of the conditions on which friendly  
relations were to be re-established—

After a warm discussion on the  
question of salutes, during which Don Miguel  
Savastida resigned the portfolio of Foreign

Relations rather than yield to their demands, the Consuls obtained all they required. The main subject, the payment of the Bay paper currency followed the conditions proposed by the Consuls were substantially accepted.

The Dominican government legalizes and assumes the payment of the entire issue of Bay paper currency at eight thousand to the dollar, instead of thirty two thousand, as fixed by act of Congress. Bonds drawing six per cent interest are issued to the holders. The interest to be paid semi annually in cash or through the Customs. Besides this, on all government dues payable in gold or silver, six per cent of the amount may be paid in these bonds in lieu of specie.

This arrangement contravenes a law of Congress and creates a lien on the public revenue, it will have to be submitted to the legislative body for ratification but this is a mere form.

The Dominican Government has struggled hard to avoid a public debt, except that which exists in the form of a domestic paper currency, but the precedent is now established and the reclamations of our Citizens may be adjusted.

To  
R. L. Lumsden  
Portsmouth N.H.  
96 Jan 7

in the same way if it would be satisfactory—  
 Unless instructed I do not however to do so, I do  
 not feel authorized to admit for example the  
 settlement of the Charles Hill case in any other  
 way than the full payment in cash of the amount  
 demanded.

The simultaneous appearance of the  
 French, English and Spanish Consuls with  
 this demonstration of force, created no small  
 excitement in official circles, where it is taken  
 as the prelude to some very decided attack upon  
 the independence of the Republic.

The leading members of the Cabinet  
 and Senate are very anxious to obtain a  
 treaty recognition from the United States  
 and President Santana would now propose  
 it in form, but for his morbid dread of a  
 failure which he firmly believes would pre-  
 cipitate the downfall of the Republic.

I have already stated what the President  
 and Minister of Foreign Relations say on the  
 subject of American interests and of their desire  
 to enter upon a more liberal policy towards our  
 citizens if it can be done without impairing  
 the existence of the Republic.

At this juncture they would make a treaty

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This arrangement contravenes a law of Congress and creates a lien on the public revenue, it will have to be submitted to the legislative body for ratification but this is a mere form.

The Dominican government has struggled hard to avoid a public debt, except that which exists in the form of a domestic paper currency, but the precedent is now established and the reclamations of our citizens may be adjusted.

To  
R. L. Lundy  
Portsmouth N.H.  
16 Jan 7

in the same way if it would be satisfactory—  
 Unless instructed I do not however to do so, I do  
 not feel authorized to admit for example the  
 settlement of the Charles Hill case in any other  
 way than the full payment in cash of the amount  
 demanded.

The simultaneous appearance of the  
 French, English and Spanish Consuls with  
 this demonstration of force, created no small  
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The leading members of the Cabinet  
 and Senate are very anxious to obtain a  
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 it in form, but for his morbid dread of a  
 failure which he firmly believes would pre-  
 cipitate the downfall of the Republic.

I have already stated what the President  
 and Minister of Foreign Relations say on the  
 subject of American intrusions and of their desire  
 to enter upon a more liberal policy towards our  
 Citizens if it can be done without impairing  
 the violence of the Republic.

At this juncture they would make a treaty

which would hold all the resources of the  
Dominican territory invitingly open to American  
enterprise - Without straining its stipulations  
beyond what is already conceded by the  
laws, or has been heretofore granted to other  
nations, the vast natural capabilities of  
this country could be made almost as free  
to our people as if it were their own soil.

In adverting to this subject, and to the  
circumstances which are now bringing it  
so prominently forward in the Dominican Cabinet,  
I presume it is unnecessary for me to say that  
I have avoided the most remote participation  
in any discussion outside of my legitimate  
business here.

I have the honor to be, Sir,

Most respectfully, Your very Obedt. Servant

William L. Gwynne

# Re 23d Feb Mr Markie ✓

932

N. 8

Santo Domingo Jan 30<sup>th</sup> 1860

Hon Lewis Gaps

Secretary of State

Sir

I have the honor to inform you that the Dominican government has this day settled in full the claim of William A Read for 275,000 Dominican currency, seized by the authorities of Puerto Plata in November 1857. Conformably with the demand I made under your instructions, this government pays the value of the paper when seized with interest from the date of seizure.

Mr Read accepts government bonds receivable as specie at the Custom House and for all dues to the National Treasury - As he is engaged in commerce here these serve him upon much better than waiting an indefinite period for a cash payment.

There were some informalities - not to say culpable neglects - in the early stages of the claim which for a time impeded its settlement but the whole affair is now happily concluded.

The Dominican government has a very small public debt outside of its issue of paper money, and its "valio" or Customs House obligations, are as yet in good esteem with the merchants here, but I would not choose to receive them in settlement of the claims of the owners of the Schooner Charles Hill except in the last resort, and under the direct authorization of my government.

I am pressing vigorously for immediate indemnity for the owners of the Charles Hill and if not done sooner I hope the Dominican Congress, which assembles the 27<sup>th</sup> February will provide for it.

There is a visible growth of goodwill and confidence towards our country in every direction, and I cannot but believe that my government will confirm and perpetuate this sentiment by a speedy treaty recognition. Those who are unfriendly to American predominance in the Antilles are opposed to every measure which would make this people and their interests tributary to our commercial system, but all the friends of progress desire it with an earnestness difficult to express.

I should be remiss in my duty were I to omit stating my official conviction that the

future of the Dominican Republic is, under divine  
providence, at the disposal of our government.

Should it decide to admit this state to the same  
treaty relations which it holds with the other  
Spanish American States of equal claims, our citizens  
would come here with their capital, and this enterprize  
machinery and habits of combined action, would  
create a new life in this long suffering country.

If this is refused, the Dominican Republic  
must sink into a negro province under the Haytian  
constitution. It is reported that Chevalier <sup>Fr.</sup> Mayeno  
Raynaud, late Charge d'affaires of France at the  
Court of Solague, will return here very soon to urge  
the old Anglo-French plan of annexing this republic  
to Hayti. The Cabinet is much divided in ~~the~~ opinion  
whether he is to come back as the Consul General of  
France, or simply as the secret agent of the Emperor  
under cover of a diplomatic mission from the Haytian  
government. I am certain that secret propositions  
for a treaty with Hayti - looking at ultimate an-  
nexation - are now before the Cabinet and is  
giving me small anxiety to the trading members  
of government.

I ventured to suggest in a private con-  
versation - simply in my individual capacity  
as a personal friend - that the Dominican government

might easily place itself <sup>right</sup> before the world and  
 silence officious dictation by agreeing to a  
 treaty provided Hayti would renounce her  
 barbarous restrictions against the white race  
 her laws, as they stand, would exclude a large  
 portion of the Dominican population from the  
 benefits of any general treaty with Hayti and  
 until this is amended none ought to be made.

President Santana is now at his estate  
 in Ayto and the Vice President, Gen. Antonio  
 Mota Alfau, is in the exercise of the Executive  
 Power. He is a brave soldier and a well-versed  
 patriot, but he is nevertheless an unpractised  
 and therefore and irresolute and wavering  
 statesman. He has moreover from his youth  
 upward lived and been educated under European  
 influences to the exclusion of sound American  
 ideas. Thus with the best intentions for his  
 country he might at any time sacrifice its  
 highest interests to European counsels from  
 inability to break from his old habits of thought  
 and enter with decision on an independent  
 line of policy. While our government is duly  
 represented here and its just and friendly  
 sentiments kept before the Cabinet and country  
 there is less danger of this government compromising

its position as an independent American State, but  
I consider it in the highest degree advisable that  
this propitious time should be seized to make a treaty  
which will open this fine country to the mining,  
agricultural and commercial enterprise of our  
citizens

I have the honor to be Sir

Your Very Obedient Servant

William L. Gagneau

937

Journal of the ...

*[Faint, illegible handwriting on lined paper]*

Re- 20. Mar. Mr Markie  
Duplicate. Dispatch No. 8.

938

Santo Domingo

Jan<sup>y</sup> 30. 1860

Hon<sup>ble</sup> Lewis Gaps

Secretary of State

I have the honor

to inform you that the Dominican government  
has this day settled in full the claim of William  
A. Read for \$75,000. Dominican currency, seized  
by the authorities of Puerto Plata in November 1857.  
Conformably with the demand I made under  
your instructions, this government pays the value  
of the paper when seized, with interest from  
the date of seizure.

Mr. Read accepts government bonds,  
receivable as specie at the Custom House and for  
all dues to the National Treasury. As he is in  
this trade these Custom House obligations serve  
his purpose much better than waiting an indefinite  
period for a cash payment.

There were some informaticis not to  
say culpable neglects in the early stages of the  
claim which for a time impeded its settlement  
but the whole affair is now happily concluded.

The Dominican government has a very

939

small public debt, outside of its issue of paper money, and its "sales" or custom house obligations are as yet in good esteem with the merchants here; but I would not choose to receive them in settlement of the claims of the owners of the Schooner "Charles Hill," except in the last resort, and under the direct authorization of my government.

I am pressing vigorously for immediate indemnity for the owners of the Charles Hill and if not done soon I hope the Dominican Congress, which assembles the 27<sup>th</sup> of Feb<sup>y</sup> will provide for it.

There is a visible growth of good will and confidence towards our country in every direction and I cannot but believe that my government will confirm and perpetuate this sentiment by a speedy friendly recognition.

Those who are unfriendly to American predominance in the Antilles are opposed to any measure which would make this people and their interests tributary to our commercial system but all the friends of progress desire it with an earnestness difficult to express.

I should be remiss in my duty were I to omit stating my firm conviction that the future of the Dominican Republic is under God.

at the disposal of our government. Should it decide to admit this state to the same treaty relations which it holds with the other Spanish American States of equal claims, our citizens would come here with their capital and thus enterprise, machinery and habits of combined action would create a new life in this long suffering country.

If this is refused the Dominican Republic must sink into a negro province under the Haitian Constitution.

It is reported that Chevalier Morimo Raynaud, late Chargé d'Affaires of France, at the Court of Solugue, will return here very soon to urge the old Anglo-French plan of re-uniting this Republic to Haiti. The Cabinet seem divided in the opinion whether he is to come back as the Consul General of France, or simply as the secret agent of the Emperor, under cover of a diplomatic mission from the Haitian government.

I am certain that secret propositions for a treaty with Haiti, looking to ultimate annexation, is now before the Cabinet and is giving no small anxiety to the leading members of government.

I ventured to suggest in a private conversation simply in my individual capacity as a personal friend, that the Dominican Government might easily place itself right before the world and silence officious dictation, by agreeing to a treaty provided Hayti would renounce her barbarous restrictions against the white race. The laws, as they now stand, would exclude a large portion of the Dominican population from the benefits of any general treaty with Hayti, and until this is amended, none ought to be made.

President Santana is now at his estate in Sagbo and the Vice President Genl. Abad Alfaro, is in the exercise of the Executive functions. He is a brave soldier and a well tried patriot, but he is nevertheless an unpractised statesman. He has moreover from his youth upwards lived and been educated under European influences to the exclusion of sound American ideas. Thus with the best intentions for his country, he might at any time sacrifice its highest interests to European counsels, from pure inability to break from his habits of thought.

942

and enter with decision on an independent  
line of policy

While our government is duly re-  
presented and its just and friendly sen-  
timents kept before the cabinet and country,  
there is less danger of this government com-  
promising its position as an independent  
American State, but I consider it in the  
highest degree advisable that this propitious  
time should be seized to make a treaty which  
will open this fine country to the mining  
agricultural and commercial enterprise  
of our citizens

I have the honor to be Sir

Very Respectfully Yours Wm. Hunt

William L. Gagneau.



Mar 20. Mar.

Dispatch No. 9.

890

Santo Domingo

Feb 22 1860

Hon<sup>ble</sup> Lewis Cass

Secretary of State

Sir

Since my last  
dispatch Jan<sup>y</sup> 30<sup>th</sup> No. 8. I had the honor to  
receive from the Department of State Nos.  
Nos. 15. and No. 4, Dec<sup>r</sup> 30. which have duly  
received my most respectful attention.

The tranquillity of the Dominican  
Republic has continued undisturbed and both  
the government and people are making rapid  
advances in their relations with our country.

The decree opening the central and  
superior port of Samana to foreign commerce  
- a measure which this Cabinet decided <sup>on</sup> soon  
after my arrival - is already producing  
important results. Some of our enterprising  
citizens are proposing to clear away the  
obstructions at the outlet of the River Yuna  
into the Bay of Samana, and introduce steam  
navigation on the Bay & River. This opens  
a rich and entirely new territory to our

commerce, manufactures and breadstuffs, besides bringing in a class of American settlers most beneficial to this country.

Other American citizens are preparing to work the extensive coal mines on the South western shore of the Peninsula of Iamana, and in the train of these able pioneers, planters and mechanics will find a large and inviting field for industrial enterprise.

The government has made a liberal modification of its revenue laws to favor this class of immigrants. Almost every thing they can have occasion for in their business, as farmers or artisans, and all their household goods are admitted free of duty. Machinery of every kind is also exempted, and as a great call is springing up for labor-saving machines from the United States, parties from New York and Baltimore have informed me of their intentions to establish warehouses here for the supply of every thing of this class.

When I was here on my former mission the right to hold real estate, work mines &c. was confirmed by a clause of the amended constitution to the citizens of all nations in amity with this republic. To these guarantees is now added a special decree exempting from duty every description of metal and

Mineral extracted from the Dominican soil  
 Several distinct parties, from various  
 sections of the Union, have from time to time  
 applied to me for information on these points  
 and I have reason to believe that mainly in  
 consequence of the liberal assurances which the  
 Dominican government desired me to make  
 in reply, some of these parties are taking measures  
 to purchase extensive mining and agricultural  
 properties in the Santiago, St. Domingo and  
 Samana districts

I think it highly probable that American  
 interests to the amount of a million of dollars will  
 be within a year permanently invested by American  
 capitalists and settlers in what is now the wildest  
 and least settled sections of the Dominican Republic.  
 When I arrived here in June last  
 there were only three or four American citizens  
 remaining in business in this country, and they  
 were anxious to wind up and leave it, so com-  
 pletely were they discouraged by the false and  
 unfavorable position of our trade in the absence  
 of treaty protection - I made instant and inces-  
 sant exertions to have these disabilities removed  
 and get our merchantmen placed upon the  
 footing of those of the most favored nations

I am promised that this shall be done, and I have no doubt but that it will be soon after the meeting of Congress, which takes place the 27<sup>th</sup> inst. On this pledge two lines of sailing vessels have already been arranged from New York, and I am informed that a line of steamers is under serious contemplation.

To brief, I may say with confidence that the presence of an agent instructed to represent the just and fraternal sentiments of the Government of the United States towards this young and isolated State, has produced an entire change in the policy and prospects of the Dominican Republic and it is not too much to add that a steady continuance of this wise and kindly course will place this hitherto unfortunate little country in the rank of a prosperous and independent American Nationality.

I have the honor to be Sir

Your Very Obedient Servant

William L. Cognran

Re 20. Mar. Mr Markie

894

Santo Domingo Feb 22 1860

Hon<sup>ble</sup> Lewis Cass

Secretary of State

Sir

In accordance with my instructions I have this day drawn upon the Department of State at sight for eight hundred dollars  $\$800$  in favor of William A. Read of this place

I have the honor to be Sir

Your very obedient servant

William L. Gagnieu

895

*[Faint, illegible handwriting on lined paper]*

Rec 3d Sept, Mr. Markin 896

Despatch No 10 - Triplicate

Santo Domingo

March 2 1860

Mr Lewis Cass

Secretary of State

Sir

I have the honor to inform you that this government has received notice from Genl. Felipe Alfau its Envoy at Madrid that the Spanish Ministry is disposed to accede to the plan of a protectorate for the Dominican Republic. This Dominican Envoy is the brother of the Acting Executive, Vice President Sr. Don Antonio Alfau, who has very decided predilections for whatever is French or Spanish and would not hesitate to make his country a direct appanage of either crown if it could be done with safety.

My information is confidential so far as it concerns the public here, but it comes from a source so high and authentic that there can be no doubt of the forward state of the negotiations for a European protectorate.

It is fully expected by its movers here that it will cover and sustain a general revolution in the industrial condition of the island.

It is the opinion of a member of the Cabinet, who professes however to be opposed to the whole scheme, that Indian apprentices and Asiatic coolies will be brought in under the French, Spanish and English flags and that the same Anglo-French pressure which creates a political hue will give force and significance to the measure by a corresponding modification of the slave system in Cuba and Porto Rico. I cannot ascertain on what basis the hopes rest, but they have an idea that this group of islands will soon be provided with a "non-hereditary system of servitude" on something like a common principle, equally suitable to the French, English and Spanish colonies and highly profitable to all, yet wholly out of the reach of rival American planters.

I have the most positive knowledge that plans for the importation of coolies, and Indians from Yucatan and Honduras, in large numbers, have been earnestly, though privately, discussed in government circles and these arguments have mingled in the discussion.

Vice President Nyon is the head of this movement, and I am inclined to

believe that it will be so conducted as not to meet any dangerous amount of opposition from the masses - The project is warmly encouraged by the small but powerful clique interested in pressing the European pretensions they regard it as part and parcel of the accepted Anglo-French system of servitude, and therefore a natural object of favor they also consider it much cheaper and far more accessible than our form of African slavery and they believe the rice and sugar growers of the United States would be unable to compete with them in economy of production.

The ruling thought however of this party is that it would create and confirm a social order in the Antilles which would forever preclude the annexation of any of these islands to the American Union.

I submit these circumstances for what they may be worth, well knowing that my Government will be able to determine much better than I can their probable value.

With regard to the domestic prospects of the country it remains to all appearance in a hopeful state of repose - Some public improvements are contemplated and others

are prepared by various American Companies  
but I have reason to believe that the most  
important of them are held in abeyance, till the  
treaty with Hayti, until Spain shall have decided  
on the protectorate question

It seems hardly worth stating yet it  
might be wrong to altogether omit mentioning  
that among those of our citizens who are obtaining  
mining concessions, colonization grants, and  
other privileges from the Dominican Government  
there are one or two persons here who are suspec-  
ted of being the Agents of a very questionable  
"Emigrant Association" from the vicinity of  
Chesapeake Bay

I have no evidence of wrong intentions,  
beyond their own statements, as reported to me by  
respectable parties, that they are the representatives  
of a strong "order" lately organized with reference to  
an extensive occupation in St Domingo and coun-  
-tling quite as much upon the rifle as the plough  
for effecting its views

All this may have very little solid founda-  
-tion, but it is unfortunate language as it chills  
the disposition of this Government to open the  
country freely to our citizens, and the more unfor-  
-tunate that it has been held at the house of the

United States Commercial Agent and in the  
presence of persons already opposed to the spread  
of American influence in the Dominican Republic

I have the honor to be Sir

Yours obedient servant

William L. Gayneau



Re 10. Apr. M. Markie

Dispatch No 10. Duplicate

✓ 902

Santo Domingo

March 4<sup>th</sup> 1860

Hon<sup>d</sup> Lewis Cass

Secretary of State

Sir

I have the honor to inform you that this government has received notice from Gen<sup>l</sup> Felipe Alfauillo, envoy at Madrid, that the Spanish Ministry is disposed to accede to the plan of a protectorate for the Dominican Republic. This Dominican Envoy is the brother of the Acting Executive Vice President, Gen<sup>l</sup> Antonio Alfau, who has very decided predilections for whatever is French or Spanish and would not hesitate to make his country a direct appanage of either crown if it could be done with safety.

My information is confidential so far as it concerns the public here - but it comes from a source so high and authentic that there can be no doubt of the forward state of the negotiations for a European protectorate.

It is fully expected, by its movers here, that it will cover and sustain a general revolution

in the industrial condition of the island.

It is the opinion of a member of the Cabinet, who professes however to be opposed to the whole scheme, that Indian "apprentices" and Asiatic coolies will be brought in under the French, Spanish and English flags, and that the same Anglo-French pressure which creates a protectorate here will give force and significance to the measure by a corresponding modification of the slave system in Cuba and Porto Rico. I cannot ascertain on what basis the hope rests but they have an idea that this group of islands will soon be provided with a non-humiliating system of servitude on something like a common principle, equally suitable to the French, English and Spanish colonies and highly profitable to all, yet wholly out of the reach of rival American planters.

I have the most positive knowledge that plans for the importation of coolies, and Indians from Guatamala and Honduras, in large numbers has been earnestly though privately discussed in government circles and these arguments have mingled in the discussions.

Vice President Alfau is the leader of this movement, and I am inclined to believe that it

will

be so conducted as not to meet any dangerous amount of opposition from the masses. The project is warmly encouraged by the small but powerful clique interested in passing the European protectorate. They regard it as part and parcel of the accepted Anglo-Bunch system of servitude and therefore a natural object of European favor. They also consider it much cheaper, and far more acceptable, than our form of African slavery and they believe the rice and sugar growers of the United States would be unable to compete with them in economy of production. The ruling thought however of this party, is that it would create and confirm a social evil in the Antilles which must forever preclude the annexation of any of these islands to the American Union.

I submit these circumstances for what they may be worth, well knowing that my government will be able to determine much better than I can their probable value.

With regard to the domestic prospects of the country, it remains to all appearance in a hopeful state of repose. Some public improvements are contemplated, and others are proposed by various American Companies.

but I have reason to believe that the most important of them are held in abeyance like the treaty with Haiti until Spain shall have decided on the protectorate question.

It seems hardly worth stating, yet it might be wrong to altogether omit mentioning, that among those of our citizens who are soliciting mining concessions, colonization grants and other privileges, from the Dominican government, there are one or two persons here who are suspected of being the agents of a very questionable "Immigrant Association" from the vicinity of Chesapeake Bay.

I have no evidence of wrong intentions beyond their own statements as reported to me by respectable parties that they are the representatives of a strong order lately organized with reference to an extensive occupation in St. Domingo and counting quite as much upon the rifle as the plough for effecting its views.

All this may have very little solid foundation but it is unfortunate language as it chills the disposition of this government to open the country fully to our citizens, and

the more unfortunate that it has been  
held at the house of the United States  
Commercial Agent, and in the presence  
of persons already opposed to the spread  
of American influence in the Dominican  
Republic.

I have the honor to be Sir

Your Very Obedient Servant

William L. Gayneau

907

1990

Blank lined section for notes.

Blank lined section for notes.

Special Agency of the United States  
Santo Domingo March 4<sup>th</sup> 1860

Messrs. Russell, Collins & Co.

Gentlemen

I have been directed by the Secretary of State to use my best efforts to obtain from this government a statement of your claim, and am truly desirous to serve the interests of our citizens to the utmost of my ability, but your case is at this time deficient in the data most essential to its successful prosecution.

The Dominican government admits the receipt of the powder ordered through your house, and also that it re-shipped the article at the inevitable loss to you of depreciation, double freight and other consequent charges. The justification set up is that the powder was of an extremely inferior quality, fit only for mining purposes, and not at all the article ordered, and I cannot find here impartial and competent men who had personally examined it, which of course leaves me without a particle of evidence on this disputed point.

I inquired of Mr. Elliott, the United States Commercial Agent, for the facts and names bearing upon it, in order to trace out a reliable witness. He could give me no available information.

The Commissioners appointed to test the powder, and who pronounced it unfit for military uses, will not recede from their official report.

... Don Manuel Delmonte, to whom you are on this subject, is President of the Dominican Society. His official position debarred from making that persistent pressure on this government which offers only possible chance of obtaining re-embursement.

With these difficulties before us, the essential measure remains, gentlemen, with yourself. You can lay before Mr. C. Kolff (of the firm of Kolff, Pasahnd) Dominican Consul at New York, all the evidence of case in the fullest legal form, or you may enclose directly to me at this city. These are a certified statement by the members of your firm, of the terms of the for the powder, with the amount and value shipped, the facts and circumstances of the contingent losses, together with the certificate of some disinterested witness as to the quality of the powder, in reference to the he ordered. With these vouchers I can meet the question and press it with some vigor. At present I have nothing adduce in opposition to the official record.

At this time the Dominican Treasury is low ebb, and the government is absorbed in European negotiations. Every American interest in this island to be struggled for, inch by inch. But I think I foresee the time when there will be a radical change.

910

of sentiment and policy, and then if your case is  
presented in a clear, undeniable form, it may be pressed  
to a successful issue.

Very respectfully Yours  
William L. Garrison

Original sent by Brig. Helen Jane bound to New York  
March 7<sup>th</sup> 1860

Re 3d Apr. W. Markie  
Dispatch No. 10

912

Santo Domingo

March 4<sup>th</sup> 1860

Hon<sup>ble</sup> Lewis Cass

Secretary of State

Sir

I have the honor to inform you that this government has received notice from Gen<sup>l</sup> Felipe Alfau - its Envoy at Madrid, that the Spanish Ministry is disposed to accede to the plan of a protectorate for the Dominican Republic. This Dominican Envoy is the brother of the Acting Executive, Vice President Abad Antonio Alfau, who has very decided predilections for whatever is French or Spanish and would not hesitate to make this country a direct appanage of either crown if it could be done with safety.

My information is confidential - so far as it concerns the public here - but it comes from a source so high and authentic that there can be no doubt of the forward state of the negotiations for a European protectorate.

It is fully expected by its means here that it will cover and sustain a general revolution

Copy of letter from Santo Domingo March 4<sup>th</sup> 1860

MSB

in the industrial condition of the island

It is the opinion of a member of the Cabinet, who professes however to be opposed to the whole scheme, that Indian apprentices and Asiatic coolies will be brought in under the French, Spanish and English flags and that the same Anglo-French pressure which creates a protectorate here will give force and significance to the measure by a corresponding modification of the slave system in Cuba & Porto Rico. I cannot ascertain on what basis the hope rests, but they have an idea that this group of islands will soon be provided with a "non hereditary system of servitude" on something like a common principle equally suitable to the French, English and Spanish colonies, and highly profitable to all - yet wholly out of the reach of rival American planters.

I have the most positive knowledge that plans for the importation of coolies, and of Indians from Yucatan and Honduras, in large numbers, has been earnestly though privately discussed in government circles, and that these arguments have mingled in the discussion.

Vice President Alfau is the leader of this movement and I am inclined to believe that it will be so conducted as not to meet any dangerous amount of opposition from the masses.

The project is warmly encouraged by the small but powerful clique interested in pressing the European protectorate. They regard it as part and parcel of the accepted Anglo-French system of suzerainty, and therefore a natural object of European favor. They also consider it much cheaper and far more accessible than our form of African slavery, and they believe the rice and sugar growers of the United States would be unable to compete with them in economy of production.

The ruling thought however of this party is that it would create and confirm a social order in the Antilles which must forever preclude the annexation of any of these islands to the American Union.

I submit these circumstances for what they may be worth, well knowing that my government will be able to determine much better than I can their probable value.

With regard to the domestic prospects of the country it remains to all appearance in a hopeful state of repose. Some public improvements are contemplated and others are proposed by various American companies, but I have reason to believe that the most important of these are held in abeyance - like the treaty with ~~the~~ Haiti - until Spain shall have decided on the protectorate question.

It seems hardly worth stating, yet it might be wrong to altogether omit mentioning, that among those of our citizens who are soliciting mining concessions, colonization grants and other privileges, from the Dominican government there are one or two persons here who are suspected of being the agents of a very questionable "Immigrant Association" from the vicinity of Chesapeake Bay.

I have no evidence of wrong intentions beyond their own statements, as reported to me by respectable parties. That they are the representatives of a strong "order" lately organized with reference to an extensive occupation in Domingo and counting quite as much upon the rifle as the plough for effecting its views.

All this may have very little solid foundation, but it is unfortunate language as it chills the disposition of this government to open the country freely to our citizens - and the more unfortunate that it has been held at the house of the U. S. Commercial Agent and in the presence of persons already opposed to the spread of American influence in the Dominican Republic.

I have the honor to be Sir

Yours President's servt

William L. Cazneau

Re 3d July, Mr Mackie.

✓ 916

Dispatch no. 11

Santo Domingo May 12<sup>th</sup> 1860

Hon Lewis Cass

Secretary of State

Sir

In the first dispatch which I had the honor to address to the Department of State, after coming to a frank understanding with this government, I mentioned the extreme depression in which I found our trade in the Dominican ports

Our merchants could not contend with the double tonnage duties and port charges, in addition to an unfavorable tariff, and they were consequently abandoning the trade altogether to the subjects of France, England, Holland and Denmark, to whom preponderating advantages were secured by formal treaties

I have labored assiduously to convince the Dominican Government of the incalculable benefits which would accrue to its own people from a free and active intercourse with the United States - It could not but see that ours is the only country which can supply them with

the men, money and machinery indispensable for the development of their rich natural resources, and this development is the only rational reliance of the government for its means of permanent maintenance.

There were many anti-American fears and prejudices to overcome, but as they were removed I received assurances that in all respects, our people, our productions, and our commerce, should have every immunity and advantage conceded to the most favored nations. This engagement is now honorably redeemed by various concessions to American enterprise which I have heretofore mentioned and finally by the passage of a general law placing the vessels of all nations on an equal footing. a copy and translation of which I herewith inclose.

The Dominican government has treaties with all the commercial powers of any importance except the United States, and therefore our people are in fact the only parties interested in, and benefited by, this law and it is so understood by its friends.

Preliminary to this decree of May 9<sup>th</sup> the commodious harbor of Samana was

continued p. 122

**PODER LEJISLATIVO,****El Senado Consultor.***A propuesta del Poder Ejecutivo.*

Considerando: que el desarrollo del Comercio, es una de las causas mas importantes de la riqueza Nacional, y siendo conveniente atraer á los Puertos de la República con franquicias y ventajas de todo género, las banderas de las naciones comerciales y amigas para aumentar las rentas y fomentar los elementos de prosperidad que encierra nuestro suelo privilegiado.

En nombre de la Nacion ha venido en dar el siguiente

**DECRETO:**

Art. 1º Desde el dia de la Publicacion del presente Decreto, los buques de las naciones amigas con las que la República no tiene celebrado Tratados, quedarán asimilados en esto al pago de los derechos de importacion, exportacion, toneladas, fero y todos los demas que concierne al Comercio, á las de las naciones mas favorecidas.

Art. 2º Quedarán privados de las ventajas de esta medida, los buques de aquellas naciones que transcurrido un año después de la publicacion del presente Decreto, no hubieren acordado á los de la República Dominicana igual beneficio.

Art. 3º El presente Decreto deroga cualquiera otra disposicion que le sea contraria y será enviado al P. E. para los fines constitucionales.

Dado en el Palacio Nacional del Senado Consultor á los 8 dias del mes de Mayo de 1860 y 17º de la Patria.—El Presidente del Senado Consultor.—BOBADILLA.—El Secretario, *Meliton Valverde*.

Ejecútese publíquese y circule en el territorio de la República para su puntual observancia.

Dado en el Palacio Nacional de Santo Domingo á los 9 dias del mes de Mayo de 1860 y 17º de la Patria.—El Vice-Presidente encargado del P. E.—A. ALFAU.—Refrendado.—El Ministro de Hacienda y Comercio.—*Pedro Ricart y Torres*.

## Translation

## The Senate in Council

At the recommendation of the Executive,

Considering that the development of commerce is one of the most important sources of national wealth; and that it is proper to attract to the ports of the Republic the flags of commercial and friendly nations by all manner of freedom and advantage in order to augment the revenue and nourish the elements of prosperity with which our favored soil is endowed:

In the name of the nation it issues the following

## Decree

Art. 1. From the date of the publication of this Decree the vessels of friendly nations with which the Republic has no treaties will be assimilated in the payment of duties of importation, exportation, tonnage, light house and all other commercial dues with those of the most favored nations.

Art. 2. The vessels of those nations which at the expiration of one year from the publication of this Decree shall not have reciprocated its

benefits to the vessels of the Dominican Republic,  
will be deprived of its advantages

Art. 3. The present decree repeals whatever may  
now exist in opposition to it, and it shall be  
sent to the Executive for constitutional termination  
given at the National Palace of the Senate  
in Council, on the 8<sup>th</sup> of May 1860 in the 17<sup>th</sup> year  
of the Nation

Bobadilla

President of the Senate

Militon Cabreris

Secretary

Be it accomplished, published and cir-  
culated throughout the territory of the Republic  
for its punctual observance,

Given at the National Palace Santo Domingo  
May 9<sup>th</sup> 1860, and the 17 of the Nation

A. Alfau

Vice President charged with Executive Power

Piero Ricart y Fourn

Minister of Hacienda

declared a port of call and may if at any time our government choose to negotiate for it be obtained for a coal depot and mail or naval station; and none better can be found in the Antilles.

Trinidad, on the south coast a port of secondary consequence however is also open to general commerce, and the more important bay of Manzanillo will probably under certain circumstances be made a free and neutral port and the whole border district between the Haytian and Dominican settlements thrown open to colonists from Europe and the United States.

This extension of port facilities, and the complete establishment of American commerce on an equal basis with that of the most favored nations, must result in throwing the great mass of Dominican commerce in the hands of our citizens.

These successive decrees in favor of inter-American trade have not materially interfered with the adjustment of the individual claims of our citizens against the Dominican Republic and in the end they will greatly facilitate both the means and the will for full payment.

The William A. Read case was after

some delay, and I am sorry to say no inconsiderable amount of legal quibbling, settled on liberal terms and paid up, with interest, to the very last ability of this impoverished government, as I had the honor to advise the Department of State under date of Jan<sup>y</sup> 30<sup>th</sup> Dispatch No 8 - when the affair was definitively concluded.

The "Charles Hill" case continues to present difficulties - While there is no dispute as to the arbitrary seizure of the American Schooner "Charles Hill" by the Braz government, it is equally certain that the master of the vessel badly damaged his cause by prematurely abandoning it, and the country, without bringing his appeal in a proper form before the competent tribunal. Nevertheless I do not despair of bringing this case to an equitable and satisfactory termination.

This government has serious anxieties concerning the Mexican frontier. It seems to be the focus of intrigues and conspiracies of the Braz party and their European as well as Mexican abettors - Santana has been notified of these disorders and is hourly expected here to take measures for the reinforcement of the border posts.

I have the honor to be Sir,  
Your most respectful and Obedt. Servt.

William L. Gagneau

Recd 24. July. Mr. McKim

924

Duplicate

Dispatch No. 11.

Santo Domingo May 12<sup>th</sup> 1860

Hon I Lewis Cass

Secretary of State

Sir

In the first dispatch which I had the honor to address to the Department of State after coming to a frank understanding with this Government, I mentioned the extreme depression in which I found our trade in the Dominican ports.

Our Merchants could not contend with the double tonnage duties and port charges, in addition to an unfavorable tariff, and they were consequently abandoning the trade altogether to the subjects of France, England, Holland and Denmark, to whom preponderating advantages were secured by formal treaties.

I have labored assiduously to convince the Dominican Government of the incalculable benefits which would inure to its own people from a free and active intercourse with the United States. It could not <sup>but</sup> see that ours is the only country which can supply them with the men, money and

machinery indispensable for the development of their rich natural resources, and this development is the only rational reliance of the government for its means of permanent maintenance.

There were many anti-American fears and prejudices to overcome, but as they were removed I received assurances that in all respects our people, our productions and our commerce should have every immunity and advantage conceded to the most favored nations.

This engagement is now honorably redeemed by various concessions to American enterprise which I have heretofore mentioned and finally by the passage of a general law placing the vessels of all nations on an equal footing, a copy and translation of which I herewith enclose.

The Dominican government has treaties with all the commercial powers of any importance, except the United States, and therefore our people are in fact the only parties interested in and benefited by this law, and it is so understood by its framers.

Preliminary to this decree of May 9<sup>th</sup> the commodious harbor of Samana was declared a port of entry and may, if at any time my government chooses to negotiate for it, be obtained for

a coal depot and mail or naval station and none better can be found in the Antilles

Maricao on the south coast, a port of secondary consequence however, is also open to general commerce and the more important Bay of Manzanillo will probably under certain circumstances be made a free and neutral port and the whole border district between the Haytian and Dominican settlements thrown open to colonists from Europe and the United States

This extension of port facilities and the complete establishment of American commerce on an equal basis with that of the most favored Nations, must result in throwing the great mass of Dominican commerce in the hands of our Citizens

These successive decrees in favor of inter-American trade have not materially interfered with the adjustment of the individual claims of our Citizens against the Dominican Republic, and in the end they will greatly facilitate both the means and the will for full payment

The William A. Read case was, after some delay, and I am sorry to say no inconsiderable amount of legal quibbling, settled on liberal terms and paid up, with interest, to the very best ability of this impoverished government, as I had the honor to

advise the Department of State under date of Jan'y 30<sup>th</sup> despatch No. 8. when the affair was definitively settled

The Charles Hill case continues to present difficulties. While there is no dispute as to the arbitrary seizure of the American Schooner Charles Hill by the Hay government, it is equally certain that the master of the vessel badly damaged his cause by prematurely abandoning it, and the country, without bringing his appeal in a proper form before the competent tribunal. Nevertheless I do not despair of bringing this case to an equitable and satisfactory termination.

This government has serious anxieties concerning the Haytian frontier. It seems to be the focus of intrigues and conspiracies of the Bay Party and their European as well as Haytian abettors. Santana has been notified of these disorders and is hourly expected here to take measures for the reinforcement of the border posts.

I have the honor to be Sir

Yours most respectful and obedient servant

William L. Cayman

## Translation

## The Senate in Council

At the recommendation of the Executive

Considering that the development of commerce is one of the most important sources of national wealth and that it is proper to attract to the ports of the Republic the flags of commercial and friendly <sup>nations</sup> by all means of freedom and advantage, in order to augment the revenues and nourish the elements of prosperity with which our favored soil is endowed

In the name of the nation it issues the following

## Decree

Art. 1 From the date of the publication of this Decree the vessels of friendly nations with which the Republic has no treaties will be assimilated in the payment of duties of importation, exportation, tonnage, light house and all other commercial dues with those of the most favored nations

Art. 2 The vessels of those nations which at the expiration of a year from the publication of this Decree shall not have reciprocated its benefits to the vessels of the Dominican Republic will be deprived of its advantages

Art 3. The present decree repeals whatever may  
now exist in opposition to it, and it shall be  
sent to the Executive for constitutional termination

Passed at the National Palace of the  
Senate in Council on the 8<sup>th</sup> of May 1860 in  
the 17<sup>th</sup> year of the Nation

Bobadilla

President of the Senate

Militon Valverde

Secretary

Be it accomplished, published and  
circulated throughout the territory of the Repub-  
lic for its punctual observance

Given at the National Palace  
Santo Domingo May 9<sup>th</sup> 1860 and 17<sup>th</sup> of the Nation

A. Alfaro

Vice President, charged with Executive

Pedro Ricart y Torres

Minister of Hacienda

Recd 24 July. Mr Madison

930

Santo Domingo

June 30<sup>th</sup> 1860

Hon<sup>ble</sup> Lewis Cass

Secretary of State

Sir

As authorized by my  
instructions I have this day drawn upon  
the Department of State at sight for eight  
hundred dollars in favor of J. W. Babens Esq  
of this place.

I have the honor to be Sir

Very respectfully your obedient servt.

William L. Cayman

931

*[Faint, illegible handwriting on lined paper]*

Rev 12. Cts Mr Mackie

944

Dispatch No 12 - Duplicate -

Santo Domingo

July 31<sup>st</sup> 1860

Mr Lewis Cass

Secretary of State

Sir

The project of a Spanish Protectorate, of which I had the honor to advise you under date of March 4<sup>th</sup> Dispatch No 12 a duplicate of which I forwarded with original of this date - appears now to be in active process of realization. It no longer admits of doubt that the Spanish and Dominican governments have entered into an understanding to garrison this republic with ten thousand Spanish subjects and to place its standing army under the instructions of Spanish officers selected and furnished for this particular duty.

About 1500 persons have already arrived and there will more are under government contract and will be due here in the course of the next two weeks, exclusively loaded with Spanish subjects, who are to be permanently settled in the Dominican territory. All of these

immigrants are to remain under the protection of the Spanish flag, but the entire public domain of the republic is surrendered to their use and occupation. The whole movement is conducted in a quiet, systematic manner which of itself proves a careful pre-arrangement. Many families were at once distributed to lands recently obtained by various members of the government, where they are settling down, sober, willing and industrious laborers.

Some years back there was a large emigration from the Canary Islands to Orizuela, but not finding that country a safe residence the majority became discontented and the Spanish and Dominican governments proposed to give them a more tranquil home in this republic.

On the 28<sup>th</sup> a Spanish war steamer arrived direct from Cadix with nearly a hundred persons to whom the Spanish government had given free passage to Santo Domingo being as a member of the government informs me, artisans of the better class, engineers, teachers and professional men, competent to take influential positions among the Dominican people. The steamer also landed some arms

and excursions, together with a portion of the military men selected to organize and instruct the Dominican army. Another Spanish maneuver is to follow immediately with a party of three hundred more of these instructors for the Dominican people, who are thus to be put in the way of a social and military education free of cost, by the precedent case of the mother country.

The policy of transferring such a large portion of the Dominican soil to Spanish occupants, has given, though cautious opponents, for it is feared that the grand ulterior object is the introduction of the Caster system of servitude on the basis already established by France, England and Spain in the neighboring colonies. They fear that collisions must almost inevitably arise between the Spanish Caster masters and the native authorities, which would give occasion for Spain to employ the strongest measures in behalf of her subjects. It is also feared that the position of supremacy, yet wholly irresponsible, domination accorded to Spain, may not only destroy the national independence of the Dominican republic, but seriously impede those close relations with the United States

on which the liberals found their main hope for  
the regeneration of their country.

On the other hand the advocates of  
Spanish domination contend, that isolated as this  
republic is from the notice and sympathy of  
all the other American States, she has no alter-  
native but to throw herself without reserve  
into the protecting embrace of the mother country,  
who they assert cannot fail to deal generously  
with them, inasmuch as this island may, by  
adopting the Coolie system, become a strong  
link of security between Cuba and Porto Rico  
and serve to keep all three out of the grasp of  
the United States.

They contend that, in view of the  
jealousy of races, the only safe and profitable  
system of labor which capitalists can depend upon,  
is to be found in the introduction and employment  
of Coolies by European subjects under the guarantee  
of their respective flags.

A full and steady supply of Coolies  
would, as they suppose, keep up the industrial  
prosperity of the Antilles, while it would introduce  
a balancing element between the white and black  
races.

These are in brief the arguments of

members of the government who are desirous of uniting Cuba, St. Domingo and Porto Rico in a common destiny, founded on the true principles of perpetual European domination, the equality of the races, and a labor system in which the United States can take no part, and in consequence can have no inducement to acquire either of these islands.

President Santana has not yet returned from the Haytian frontier, where he has established perfect order, and it is uncertain how far his will or his judgment will carry him towards the complete subjugation of his country to Spanish rule. My own conviction is, that he would make, even at this late hour, a strong effort to maintain the republican independence of the Dominicans, were he fortified by a timely recognition and some public demonstration of kindly interest on the part of the United States.

I have the honor to be, Sir

Respectfully, Yours Very Cordial Friend

William L. Gagneau

I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the matter of the application for a license to the undersigned. I have the honor to inform you that the same has been forwarded to the proper authorities for their consideration. I am, Sir, very respectfully,  
 Yours, very truly,  
 J. W. Smith, Jr.  
 Secretary of the Board of Education.

Re 3d Sept. Mr Masfio.

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Despatch No 12

Santo Domingo

July 31<sup>st</sup> 1860

Hon<sup>ble</sup> Lewis Cass

Secretary of State

Sir

The project of a Spanish Protectorate of which I had the honor to advise you under date of March 4<sup>th</sup> (despatch No 10) - a duplicate of which I herewith enclose - appears now to be in active process of realization.

It no longer admits of a doubt that the Spanish and Dominican governments have entered into an understanding to garrison this republic with ten thousand Spanish subjects and to place its standing army under the instructions of Spanish officials selected and followed for this particular duty.

About fifteen hundred persons have already arrived and there vessels more are under government contract and will be due here in the course of the next two weeks, exclusively loaded with Spanish subjects who are to be permanently settled in the Dominican territory. All of these emigrants are to remain under the protection of the

Spanish flag but the entire public domain of the republic is surrendered to their unbridled occupation. The whole movement is conducted in a quiet systematic manner which of itself proves a careful pre-arrangement. Many were at once distributed to lands recently obtained by various members of the government where they are settling down, sober, willing and industrious laborers.

Some years back there was a large immigration from the Canary Islands to Venezuela but not finding that country a safe residence the majority became discontented and the Spanish and Venezuelan Governments proposed to give them a more tranquil home in this republic.

On the 18<sup>th</sup> inst. a Spanish mail steamer arrived direct from Cadix with nearly a hundred persons to whom the Spanish Government had given free passage to Santo Domingo, being as a member of the government informs me "citizens of the better class - engineers, teachers and professional men competent to take influential positions among the Dominican people." The steamer also landed some arms and munitions, together with a portion of the military men selected to reorganize and instruct the army. Another Spanish steamer is to follow immediately with a party of three hundred

more of these instructors for the Dominican people who are to be put in the way of social and military education free of cost by the provident care of the mother country.

The policy of transferring such a large portion of the Dominican soil to Spanish occupants has zealous, though cautious, opponents, for it is feared that the grand ulterior object is the introduction of the caste system of servitude, on the basis already established by France, England and Spain in the neighboring colonies. There foresee that collisions must almost inevitably arise between the Spanish caste-masters and the native authorities, which would give occasion for Spain to employ the strongest measures in behalf of her subjects. It is also feared that this position of supreme yet wholly irresponsible domination accorded to Spain may not only destroy the national independence of the Dominican Republic but seriously impede those close relations with the United States on which the liberals found their main hope for the regeneration of their country.

On the other hand the advocates of Spanish domination contend that isolated as this republic is from the notice and sympathy of all the other American States, she has no alternative but to throw herself without reserve into the protecting

embraces of the mother country, who they assert cannot fail to deal generously with them, inasmuch as this island may by adopting the coolie system become a strong link of security between Cuba and Porto Rico and sure to keep all these out of the grasp of the United States.

They contend that in view of the jealousy of races the only safe and profitable system of labor which capitalists can depend upon will be found in the introduction and employment of <sup>by European subjects</sup> coolies, under the guarantee of their respective flags.

A full and steady supply of coolies would as they suppose keep up the industrial prosperity of the Antilles while it would introduce a balancing element between the white and black races.

These are in brief the arguments of those members of the government who are desirous of uniting Cuba, St. Domingo & Porto Rico in a common destiny, founded on the three principles of perpetual European domination, the equality of races and a labor system in which the United States can take no part and in consequence can have no inducement to acquire either of these islands.

President Santana has not yet returned

from the Haytian frontier where he has established  
perfect order and it is uncertain how far his judge-  
ment will carry him towards the complete  
subjection of his country to Spanish rule my  
own conviction is that he would make even at  
this late hour a strong effort to maintain the  
republican independence of the Dominicans were  
he fortified by a timely recognition and some  
public demonstration of kindly interest on the part  
of the United States

I have the honor to be Sir

Respectfully Yours Wm L. Garrison

William L. Garrison

1870

1871

1872

1873

1874

1875

1876

1877

Rio St. J. deir Mr. Markie

984

Santo Domingo

Sep<sup>r</sup> 10<sup>th</sup> 1860Hon<sup>ble</sup> Lewis Cass

Secretary of State

Sir,

I am under the painful necessity of informing the Department of State that Mr. Jonathan Elliot, the United States Commercial Agent at Santo Domingo, has permitted himself to contract such habits of intemperance, that he has become totally unreliable in word and deed, and altogether unfit for the post he occupies.

In his moments of intoxication he has committed follies so opposed to public decorum, and so offensive to this Government, that President Santana directed, Don Pedro Ricart y Toru, the Minister of Foreign Affairs, to address me the enclosed note on the subject.

You will please to observe that the Minister expresses in about so many words, his "lively regret that the conduct of Mr. Elliot should be so worthy of censure and so ill calculated to maintain the good relations ardently desired by his Government, and which

now so happily exist between the two countries."

"The fatal vice of intemperance, to which this gentleman has unfortunately of late delivered himself, deprives him of his intellectual faculties, prevents a naturally good disposition, and leads him into scandalous excesses."

"This government has been indulgent to these improprieties in order to avoid, if possible, the unpleasant step which it is now compelled to take; but this toleration ought to end when Mr. Jonathan Elliot, losing all self-restraint, creates scenes of the most turbulent and even subversive character."

Here I wish to observe that in our personal interviews, all the members of the Cabinet manifested much feeling on the subject of Mr. Elliot's incendiary speeches, and it is at the particular request of President Santana that I now respectfully ask your attention to the following paragraphs of the note in question.

"Finally Mr. Elliot, advancing in his pernicious excesses, has made seditious and criminal harangues from his balcony, in the most violent language, and in the loudest voice his lungs could compass, inciting the colored class against the government, and offering to head the negroes to massacre

"The Canary Islands, where this government has brought from Venezuela for the purpose of giving an impulse to the agriculture of the country. Mr. Elliot is endeavoring to convince the negroes that their people had come to enslave them."

"What might be the transcendental influence of such versions on the ignorant masses, who have not sufficient discrimination to discern truth, as they derive; that misunderstandings, and even danger to the authorities, might arise will not escape your penetration, and doubtless you will ask yourself how this government has had the patience to induce so many affidavits."

"For these and many other acts, tending to immorality, but which if necessary can be verified by respectable witnesses, citizens and foreigners resident in this Capital." The Dominican Secretary of State requests that his notes may be laid before the government of the United States, with the earnest hope that the delay for the removal of Mr. Elliot, will not be taken in any other sense than a sincere wish to avoid the vexatious questions which might arise from the reprehensible conduct of Mr. Elliot, and to maintain the best harmony with the government of the American Union.

In addition to this communication of the Dominican government, it is my disagreeable duty further to state, that all the American citizens residing in Santo Domingo lately addressed me a joint note, in which they complain in the strongest terms of Mr. Elliot's irregular habits, and wish me to unite with them in a petition to the President of the United States for his removal, on the ground that "his presence here in an official position is a serious injury to American interests and throws discredit on the character and flag of our country."

I have only informed Mr. Elliot of these charges, and of the necessity I am under of confirming the most serious of them by the testimony of my own personal knowledge. Although I would most gladly have avoided any participation in the affair had such a course been compatible with the public interest.

I have the honor to be Sir  
 Your most respectful and very Obedt Servt  
William L. Gagneau

Ex<sup>ta</sup> S<sup>ra</sup> Sr

El infrascrito, Secretario de Relaciones Exteriores de Santo Domingo, por encargo especial que ha recibido de S. E. el Presidente de la Republica, tiene la honra de dirigirla presente nota al Excmo. Señor General William L. Gagneau, Agente Especial del gobierno de los Estados Unidos, con el objeto de exponer a V. E. con la mayor consideracion, pero con el mas vivo sentimiento, que la conducta observada por el Señor Jonathan Elliot, Agente Comercial de la Union Nort Americana, en esta Capital, es la mas digna de vituperio, y la menos apropiada para mantener (como es el deseo mas vehemente de su Gobierno) las buenas relaciones que felizmente existen entre ambos paises, a la vez que para representar como fuera debido a la Gran Nacion Americana.

El fatal vicio de la intemperancia a que se ha entregado desgraciadamente un caballero, sobre todo desde algun tiempo, a esta parte lo priva del uso de sus facultades intelectuales, trastorna su instinto, naturalmente buena, y le hace cometer toda suerte de escandalos y de atropellos. Semijante conducta, si bien

noiva a la moral, ha sido tolerado con la mayor indulgencia por el Gobierno, que se habia propuesto evitar cuanto pudiese, el paso hasta desagradable que se ve precisado a dar ahora. Pero toda indulgencia y tolerancia han debido cesar cuando el Señor Jonathan Elliot, perdiendo toda medida y compostura, ha proporcionado escenas de un carácter violento y hasta subversivo, tales como la de insultar publicamente con injurias y vias de hecho a un honrado y respectable extranjero, el Señor Henry Lowmbuger, Alemán de nacimiento, por el mismo hecho de que como comerciante, quiso repasar las graves e infundadas atribuciones del Señor Elliot, contra el comercio de esta plaza.

Ultimamente el Señor Elliot llevando adelante sus perniciosos excessos, ha limado en el balcón de su casa, en el lenguaje mas virulento, y en voz tan alta cuanto sus pulmones pudiesen alcanzar, sediciosos y criminales discursos, con los cuales concitaba la clase de color contra el Gobierno, ofreciéndose a Capitanía para de gollos también a los isleños canarios, que el Gobierno acababa de hacer venir de Venezuela, con el objeto de fomentar la agricultura del país, y de los cuales trata de infundar el Señor Elliot a los negros que vienen a esclavizarlos.

Conanta sea la trascendencia que  
pueden tener estas versiones entre masas igno-  
rantes, sin discernimiento suficiente para  
despreciarlas, segun merecen, cuanto sea el  
desconocido, y aun el peligro, que de ello resultara  
la autoridad, no escapara a la penetracion de  
V. E. quien sin duda se preguntara como es posible  
que el Gobierno de la Republica haga tanto  
paciencia para sufrir tantos desmanes.

Por estos y otros muchos hechos, que  
seria prolijo enumerar, y que, si fuese necesario  
podrian constatare con respectables testimonios de  
diversos ciudadanos y extranjeros residentes en esta  
Ciudad, el infrascrito tiene la honra de replicar  
a V. E. si sirva llevar el texto de esta nota al Gobierno  
de los Estados Unidos, solicitando al mismo tiempo la  
remocion del Sr. Elliot del puesto <sup>que</sup> ocupa, y replica a  
V. E. no sea en el paso que da, si no el de evitar inojosas  
cuestiones que podrian suscitarse por la reprensible conducta  
del Sr. Elliot a la vez que el de mantener la mejor ar-  
monia con el Gobierno de la Union Americana.

Al dejar cumplido el precepto expreso de V. E. el Pre-  
sidente de la Republica resta ahora al infrascrito restar  
a V. E. las protestas de su muy distinguida consideracion

(Signa) P. Ricart y Torres

Santo Domingo Agosto 17<sup>to</sup> 1860

The first of these is the fact that the  
 government has been successful in  
 securing the cooperation of the  
 people in the various measures  
 which have been adopted for  
 the purpose of improving the  
 condition of the country.  
 The second is the fact that the  
 government has been successful in  
 securing the cooperation of the  
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 The third is the fact that the  
 government has been successful in  
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 The seventh is the fact that the  
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 The eighth is the fact that the  
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 government has been successful in  
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 which have been adopted for  
 the purpose of improving the  
 condition of the country.  
 The tenth is the fact that the  
 government has been successful in  
 securing the cooperation of the  
 people in the various measures  
 which have been adopted for  
 the purpose of improving the  
 condition of the country.

Recd 12. Oct. Mr Markin

Despatch No 13

950

Oct 12

Santo Domingo

Sep<sup>r</sup> 10<sup>th</sup> 1860

Hon<sup>ble</sup> Lewis Cass

Secretary of State

Sir,

I am under the painful necessity of informing the Department of State that Mr. Jonathan Elliot, the United States Commercial Agent at Santo Domingo, has permitted himself to contract such habits of intemperance that he has become totally unreliable in word and deed, and altogether unfit for the post he occupies.

In his moments of intoxication he has committed follies so opposed to public decorum, and so offensive to this Government, that President Santana directed Don Pedro Recast y Torres, the Minister for Foreign Affairs, to address me the enclosed note on the subject.

You will please to observe that the Minister expresses in about so many words his "lively regret" that the conduct of Mr. Elliot should be so worthy of censure and so ill-calculated

to maintain the good relations ardently desired by his government, and which now so happily exist between the two countries."

"The fatal vice of intemperance, to which this gentleman has unfortunately of late delivered himself, deprives him of his intellectual faculties, perverts a naturally good disposition and leads him into scandalous excesses."

"This government has been indulgent to these improprieties in order to avoid, if possible, the unpleasant step which it is now compelled to take but this toleration ought to end when Mr. Jonathan Elliot, losing all self-restraint, created scenes of the most turbulent and even subversive character."

Here I wish to observe that in our personal interviews all the members of the cabinet manifested much feeling on the subject of Mr. Elliot's incendiary speeches, and it is at the particular request of President Santana, that I now respectfully ask your attention to the following paragraph of the note in question.

Finally Mr. Elliot, advancing in his pernicious excesses, has made seditious and criminal harangues from his balcony, in the most violent language and in the loudest voice his lungs could compass, exciting the colored class against the government.

and offering to lead the negroes to Massachusetts Canary Islands, whom this government had brought from Venezuela for the purpose of giving an impulse to the agriculture of the country. Mr. Elliot endeavoring to convince the negroes that these people had come to enslave them."

"What might be the transcendent influence of such visions on the ignorant masses, who have not sufficient discrimination to despise them as they deserve; What misunderstandings, and even danger to the authorities, might arise, will not escape your penetration, and doubtless you will ask yourself how this government has had the patience to endure so many affronts."

"For these and many acts tedious to enumerate, but which if necessary can be verified by respectable witnesses, citizens and foreigners resident in this capital," the Dominican Secretary of State requests that his note may be laid before the government of the United States, with the earnest hope that the desire for the removal of Mr. Elliot will not be taken in any other sense than a sincere wish to avoid the vexatious questions which might arise from the reprehensible conduct of Mr. Elliot, and to maintain the best harmony with the government of the American Union.

In addition to this communication of the Dominican Government it is my disagreeable duty further to state that all the American citizens residing in Santo Domingo, lately addressed me a joint letter, in which they complain in the strongest terms of Mr. Eliott's irregular habits, and wish me to "unite with them in a petition to the President of the United States for his removal on the ground that his presence here, in an official position is a serious injury to American interests, and throws discredit on the character and flag of our Country."

I have duly informed Mr. Eliott of these charges, and of the necessity I am under of confirming the most serious of them by the testimony of my own personal knowledge, although I would most gladly have avoided any participation in the affair had such a course been compatible with the public interest.

I have the honor to be Sir  
 Your most respectful Servant  
William L. Gwynne

Excmo Sr

El infrascrito Secretario de Relaciones Exteriores de Santo Domingo por encargo especial que ha recibido de S.E. el Presidente de la Republica tiene la honra de dirigir la presente nota al Excmo. Señor General William L. Carneau, Agente Especial del Gobierno de los Estados Unidos con el objeto de exponer á V.E. con la mayor consideracion, pero con el mas vivo sentimiento que la conducta observada por el Señor Jonathan Elliot, Agente Comercial de la Union Norte Americana en esta Capital, es la mas digna de vituperio y la menos apropiada para mantener (como es el deseo mas vehemente

Excmo Sr General

William L. Carneau

Agente Especial del Gobierno de los Estados Unidos.

vehemente de su Gobierno) las buenas relaciones que felizmente existen entre ambos países, á la vez que para representar como fuera debido á la Gran Nacion Americana.

El fatal vicio de la intemperancia á que se ha entregado desgraciadamente ese caballero, sobre todo desde algun tiempo á esta parte lo priva del uso de sus facultades intelectuales, trastorna su indole naturalmente buena y le hace cometer toda suerte de escandalos y de atropellos. Semipante conducta, si bien nociva á la moral, ha sido tolerada con la mayor indulgencia por el Gobierno que se habia propuesto evitar cuanto pudiese el paso harto desagradable que se vió precisado á dar ahora. Pero toda indulgencia y tolerancia han debido cesar cuando el Señor Jonathan Elliot, perdiendo toda medida y compostura, ha proporcionado

escenas de un carácter violento y hasta subversivo, tales como la de insultar públicamente con injurias y vías de hecho á un honrado y respetable extranjero, el Señor Henry Lomembuqu, Alemán de nacimiento, por el mero hecho de que como comerciante, quiso refutar las graves e infundadas diatribas del Señor Elliot, contra el comercio de esta plaza.

Ultimamente el Señor Elliot, llevando adelante sus perniciosos excesos, ha tenido en el balcón de su casa, en el lenguaje mas violento y en voz tan alta cuanto sus pulmones pudieron alcanzar, sedicissos y criminales discursos con los cuales excitaba la clase de color contra el Gobierno, ofreciéndose á capitanearla, para degollar tambien á los istmos canarios que el Gobierno acaba de hacer venir de Venezuela con el objeto de fomentar la agricultura del pais, y de los cuales trata de confundir el Señor Elliot á los negros que vie-

nen a esclavizarlos.

Cuanta sea la trascendencia que pueden tener estas versiones entre masas ignorantes, sin discernimiento suficiente para despreciarlas, segun merecen, cuanto sea el desconcepto y aun el peligro que de ello resulte para la autoridad, no escapara a la penetracion de V.E. quien sin duda se preguntara como es posible que el Gobierno de la Republica haya tenido paciencia para sufrir tantos desmanes.

Por estos y otros muchos hechos que seria prolijo enumerar, y que, si fuese necesario podrian constatarese con respetables testimonios de diversos ciudadanos y extranjeros residentes en esta Ciudad, el infrascrito tiene la honra de suplicar a V.E. se sirva elevar el texto de esta nota al Gobierno de los Estados Unidos solicitando al mismo tiempo la renuncion del Señor Jonathan Elliot del puesto que ocupa y suplica a V.E. no sea en el paso que da, sino el de evitar enojosas cuestiones

cuestiones que podrian suscitarse por  
la reprensible conducta del Senor Elliot  
a la vez que el de mantener la mejor  
armonia con el Gobierno de la Union  
Americana

Al dejar cumplido el precepto  
capreso de J. E. el Presidente de la Re-  
publica resta ahora al infrascrito inte-  
rar a V. E. las protestas de su muy  
distinguida consideracion.

J. Ricarty Torres

Sancto Domingo  
Agosto 17 de 1860.

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Mr Mackie

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Translation

Most Excellent Sir

The undersigned Secretary for Foreign Relations of St Domingo, under special instructions received from his Excellency the President of the Republic has the honor to address the present note to the most Excellent General William L Guzman Special Agent of the Government of the United States for the purpose of representing to Your Excellency with the greatest consideration, but with most lively regret, that the conduct pursued by Mr Jonathan Elliott, Commercial Agent of the North American Union at this Capital is most deserving of vituperation, and least suitable to maintain (as is the most ardent desire of his Government) the good relations which happily exist between both countries, and at the same time to represent, as should be done, the Great American Nation -

The fatal vice of intemperance to which this Gentleman has unhappily

abandoned himself, especially for some time past, and now, deprives him of the use of his intellectual faculties, perverts his naturally good disposition, and causes him to commit all sorts of scandals and outbreaks - Such conduct, so injurious to morals, has been tolerated with the greatest indulgence by the Government, which has endeavored to avoid as far as possible the very disagreeable measure which it finds itself compelled now to adopt. But all indulgence and forbearance, of necessity ceased, when Mr Jonathan Elliot losing all measure and discretion had presented scenes of violent and even subversive character, such as publicly insulting with abuses and blows a worthy and respectable foreigner Mr Henry Leussemburger, German by birth upon the mere fact, that as a merchant he chose to refute the grave but groundless diatribes of Mr Elliot against the merchants of this place.

More recently, Mr Elliot carrying his pernicious excesses yet farther, has held from the balcony of his house, in language

the most violent, and in voice as loud as his lungs could attain, seditious and criminal harangues in which he stirred up the colored race against the Government, offering himself to lead them on, as well as to cut the throats of the Canary Islanders who the Government had just brought from Venezuela for the purpose of improving the agriculture of the country, and who, Mr Elliot tries to persuade the blacks, come hither to enslave them.

How extended may be the influence which such harangues may have upon ignorant masses, without sufficient intelligence to despise them as they deserve; how much of disrespect, and even of danger may result from them to the authorities, will not escape the penetrations of your Excellency, who will without doubt put the question to yourself, how is it possible that the Government of the Republic can have had the patience to endure such disorderly proceedings?

For these, and many other acts which it would be tedious to enumerate, and which, if it were necessary, could be

proven by credible testimony of various  
 Citizens, and Foreigners resident in this City,  
 the Undersigned has the honor to pray  
 that your Excellency may please to  
 place the text of this note before the  
 Government of the United States, soliciting  
 at the same time the removal of  
 Mr. Jonathan Elliot from the post which  
 he occupies, and begs that you Excellency  
 may not see in the step now taken, any  
 thing but the desire to avoid vexatious  
 questions which might arise from the  
 reprehensible conduct of Mr Elliot, in place  
 of the maintenance of the best agreement  
 with the Government of the American Union.

In fulfilling the instructions given  
 by the President of the Republic, it now  
 remains to the Undersigned to reiterate  
 to your Excellency the protestations of his  
 very distinguished consideration.

P. Ricart y Torres.

Santo Domingo August 17. 1860

Vic Exec<sup>t</sup> Genl William L. Carnegie

Special Agent, of the Government of the United States.

Dispatch No. 14

Duplicate

Rev J. H. Sec Mr McKee

1001

Santa Domingo

October 13<sup>th</sup> 1850

Hon<sup>d</sup> Lewis Cass

Secretary of State

Sir

The Spanish guardianship over the Dominican Republic, the progress of which I have had the honor to lay before the Department of State as it advanced, has now become an admitted fact and is beginning to operate seriously on American interests.

About the 3<sup>d</sup> inst<sup>l</sup> the Dominican Government received information that a party of Americans were actively engaged in shipping guano from the rocky islet of Matias, near the south coast of the Dominican territory.

This barren little spot has never been occupied in any manner, and in fact was considered uninhabitable until the American discoverers of the guano deposits made an establishment there; and they were at work for some months before the Dominican authorities heard or thought of such a possibility.

The first intimation came from a

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Dominican in New York, who heard these of the arrival of valuable guano cargoes from Atavila, and advised his government to claim some advantage out of its contiguity to this republic.

An agent was therefore dispatched to inquire into the case, and he returns with the report that he found a small body of Americans laborers in full possession of Atavila, who were ordered to haul down the flag of the United States and abandon their works.

The Americans refused to do either, asserting that they were pursuing a lawful business under the guaranties of an act of Congress in utilizing for the general benefit of mankind a desert sand-spit, which the whole world had previously neglected as utterly valueless, and which no government had deemed worthy of notice until the money and industry of the citizens of the United States had developed in it an unexpected capacity to yield profits. The employment of the capital, and the labor, necessary to make Atavila of value, has undoubtedly been the sole work of the parties now in possession.

In opposition to this American position the Dominican Secretary of State insists that Atavila, though never occupied, or used in any manner

by this people, has always been considered an appurtenance of the republic. It is admitted to be more than three leagues from the main coast, but they say it is not that distance from Beata, another and somewhat larger desert island, which intervenes between Xicavela and the main shore.

The Dominican Executive has received a full explanation of the scope of the act of Congress respecting the discovery and exploiting of guano islands by our Citizens, and of the reserved right of our government to terminate such occupation, at any time that the just representations of a friendly power, or the intrinsic circumstances of the case, may make it proper to take this course. Upon this explanation the Dominican Cabinet manifested a more amicable disposition, but I regret to say these friendly assurances were immediately followed by counter-indications from the Spanish officers, deputed from Madrid to govern this government.

President Santana is repairing a wharf at his estate in the interior, and the Acting Executive, Vice President Alfau, and a portion of the Cabinet, attended Don Mariano Alvarez and Genl. Pelaez, the civil and military representatives of Spain, on an official visit to him, at Aybo, having regard

to this and other matters pertaining to the  
Protectorate

On their return yesterday, I obtained  
a half reluctant admission from the Minister  
of Foreign Affairs that while there might be some  
postponement in the action of the government,  
it could bind itself to nothing with respect to  
the American intruders at Matanzas.

The Minister of Hacienda leaves to-  
morrow, or next day, in the Spanish war steamer  
Don Juan de Austria, to confer with the Captain  
General and to negotiate a loan of half mil-  
lion of dollars, which is promised in Cuba, under  
the presumed guarantee of Spain.

On the completion of this loan depends  
the future independence of the Dominican Republic  
and with it the safety or spoliation of American  
interests in this quarter.

Up to the month of September the  
preservation of the Dominican Nationality seemed  
to turn upon the full and friendly recognition  
of the United States; but now three fourths of the  
Cabinet and Senate have become zealous partisans  
of Spanish rule. The masses do not concur in  
this sentiment and the population of Santiago  
and the Vega murmur ominously of rebellion.

1005-

but the Spanish party count upon a sufficiently strong military force from Cuba to suppress any attempt of that kind

Among all these complications there is imminent danger that American interests at Havana may be suddenly destroyed, and I have taken the responsibility of calling the attention of the United States Consul General at Havana to the state of affairs in this direction, and to the propriety of sending a national vessel to Havana, not doubting that under the pressure of existing circumstances this course will meet the approval of my Government.

I have the honor to be Sir

Yours Respectfully Wm. Scott

William L. Carnegie

1006

Dispatch No 14.

Alm 28 Nov. Mr Markie's

1007

Santo Domingo

October 12<sup>th</sup> 1868

Hon Lewis Cass

Secretary of State

Sir

The Spanish guardianship over the Dominican Republic the progress of which I have had the honor to lay before the Department of State as it advanced has now become an admitted fact, and is beginning to operate seriously on American interests

About the 3<sup>rd</sup> inst. the Dominican Government received information that a party of Americans were actively engaged in shipping guano from the rocky islet of Matavela, near the south coast of the Dominican territory

This barren little spot, has now been occupied, and in fact was considered uninhabitable, until the American discovered of the guano deposits made an establishment there, and they were at work for some months before the Dominican authorities heard or thought of such a possibility

The first intimation came from a Dominican in New York, who heard these

of the arrival of valuable guano cargoes from Atavila, and advised this government to claim some advantage out of its contiguity to this republic.

An agent was therefore dispatched to inquire into the case and he returns with the report that he found a small body of American laborers in full possession of Atavila. They were ordered to haul down the flag of the United States and abandon their works. The Americans refused to do either, asserting that they were pursuing a lawful business, under the guaranties of an act of Congress, in utilizing for the general benefit of mankind a desert sand-spit, which the whole world had previously neglected as utterly valueless, and which no government had deemed worthy of notice until the money and industry of the Citizens of the United States had developed in it an unexpected capacity to yield profits. The employment of the capital, and the labor, necessary to make Atavila of value, has undoubtedly been the sole work of the parties now in possession.

In opposition to this American position the Dominican Secretary of State insists that Atavila, though never occupied or used in any

1009

manner by this people, has always been considered an appanage of the republic. It is admitted to be more than three leagues from the main coast, but they say it is not that distance from ~~Brata~~ another and somewhat larger desert island, which intervenes between Alacata and the main shore.

The Dominican Executive has received a full explanation of the scope of the act of Congress respecting the discovery and exploiting of guano islands by our citizens, and of the reserved right of our government to terminate such occupation, at any time that the just representations of a friendly power, or the intrinsic circumstances of the case, may make it proper to take this course.

Upon this explanation the Dominican Cabinet manifested a more amicable disposition, but I regret to say, these friendly assurances were immediately followed by counter-indications from the Spanish officers reported from Madrid to govern this government.

President Santana is reporting while at his estate in the interior, and the Acting Executive, Vice President Alfau, with a portion of the Cabinet, attended Don Mariano Alvarez and Genl. Pelay, the civil and military representatives of Spain.

1810

on an official visit to him at Legbo, having regard to this and other matters pertaining to the protectorate.

On their return yesterday, I obtained a half reluctant admission from the Minister of Foreign Affairs, that while there might be some postponement in the action of the government, it would bind itself to nothing with respect to the American intruders at Ataceta.

The Minister of Hacienda leaves to-morrow, or next day, in the Spanish War Steamer, San Juan de Austria, to confer with the Captain General, and to negotiate a loan of half a million of dollars which is promised in Cuba, under the presumed guarantees of Spain.

On the completion of this loan depends the future independence of the Dominican Republic, and with it the safety, or spoliation, of Americans interests in this quarter.

Up to the month of September, the preservation of the Dominican Nationality seemed to turn upon the full and friendly recognition of the United States, but now three fourths of the Cabinet and Senate have become zealous partisans of Spanish rule.

The masses do not concur in this.

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1011

sentiment and the whole population of Santiago  
and the Vega, menacing ominously of secession,  
but the Spanish party count upon a sufficiently  
strong military force from Cuba to suppress any  
attempt of that kind

Among all these complications there  
is imminent danger that American interests may  
be suddenly destroyed and I have taken the re-  
sponsibility of calling the attention of the United  
States Consul General at Havana, to the state of  
affairs in this direction, and to the propriety of  
sending a national vessel to Matanzas - (copy en-  
closed) trusting that under the pressure of  
existing circumstances this course will meet the  
approval of my Government

I have the honor to be Sir

Your respectful and obedient servant

William L. Gazeau

#

1014

The first of these is the fact that the  
 government has been unable to  
 secure the necessary funds to  
 carry out its policy of  
 maintaining the peace.  
 The second is the fact that the  
 government has been unable to  
 secure the necessary funds to  
 carry out its policy of  
 maintaining the peace.  
 The third is the fact that the  
 government has been unable to  
 secure the necessary funds to  
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 maintaining the peace.  
 The ninth is the fact that the  
 government has been unable to  
 secure the necessary funds to  
 carry out its policy of  
 maintaining the peace.  
 The tenth is the fact that the  
 government has been unable to  
 secure the necessary funds to  
 carry out its policy of  
 maintaining the peace.

Santo Domingo

October 13<sup>th</sup> 1860

Charles S. Helm Esq

Consul General of the United States

Havana

Sir

I am apprehensive of serious complications between our Government and the Dominican Republic, in consequence of the occupation by an American Guano Company of the hitherto desert islet of Alacela, on the south coast of this island.

I understand that the American explorers claim that they are in legal possession under the act of Congress "to authorize protection to be given to citizens of the United States who may discover deposits of Guano" approved August 11<sup>th</sup> 1856.

According to a recent map of this island, published under the authority of this government, Alacela is undoubtedly more than three leagues from the Dominican Coast. It may now be claimed however that it is linked to the territory and jurisdiction of this Republic by the adjacent and intervening island of Brata.

Whether Atavila is or is not outside of the jurisdiction of the Dominican Republic - irrespective of ~~Orata~~ - can be easily determined by a nautical survey - and under the present circumstances the question may worthily occupy the attention of some of our naval officers on this station.

The immediate consideration before us is, that it is almost certain that the Dominican authorities - notwithstanding their amicable assurances to me - are in reality projecting an expedition to forcibly dislodge the Americans at work on Atavila, without any previous communication with our government.

If this government partly affects to consider them outlaws, they are liable to be arrested and brought to this capital for punishment, like common felons.

In view of this threatened onslaught on the property and liberties of our citizens at Atavila, I must intimate to you to use your best endeavors to dispatch a vessel of war to that point, for the protection of these endangered interests.

Should this note find one in port at Navana, it may be in time to save our citizens at Atavila from spoliation and indignity; and at all events it would be able to make a tour and

early report to our Government, on the actual  
state of affairs, should this Government have  
blindly proceeded to intimities.

I have the honor to be, Sir,

Respectfully Yours

William L. Gaynean

1018

7

Hon<sup>ble</sup> L<sup>t</sup>. Gen<sup>l</sup> W<sup>m</sup> McKee 1019

Santo Domingo

November 17<sup>th</sup> 1842

Hon<sup>ble</sup> Lewis Cass

Secretary of State

Sir

In accordance  
with instructions I have this day drawn upon  
the Department of State at sight for one  
thousand dollars \$1000- in favor of S<sup>am</sup>l Babens  
of this place

I have the honor to be Sir

Your Very Obedient Servant

William L. Cayman

1020

Despatch No 15 Duplicate

Per 22nd Gen Mr Martin

1021

Santo Domingo

Pagui

November 17<sup>th</sup> 1860

Hon Lewis Cass

Secretary of State

Sir

The Dominican Government  
after some vacillation has finally decided to  
accept in full the policy dictated by its Spanish  
Protectors

In order to carry out this understanding  
General Santana is formally invested with a temporary  
dictatorship. The promise of military support from  
Spain, with immediate pecuniary aid, in the form  
of a loan of half a million of dollars, decided his  
course as well as that of the Senate in Council  
in its sanction of his assumption of extraordinary  
powers

Should this loan happen not to be  
forthcoming, or should Spain take the alarm and  
recede from her liberal engagements, or finally should  
the bitter and wide-spread discontent of the masses,  
at the reintroduction of their old Spanish masters,  
break forth in a revolution, there will be an instant  
change of programme

1022

In that event the Dominican Republic will once more implore the friendly recognition of the United States, and it will again proffer a free port at Samana or Manzanillo as an inducement to our Government to enter into treaty relations.

Unless one or the other of these contingencies should arise to put a new face on affairs, the Dominican Republic - now the avowed ward of the Spanish Crown - will tranquilly subside into a cooler colony under the absolute government of the Mother Country, with possibly an after thought of ultimate cession to France.

Begin

This new <sup>[Spanish]</sup> policy is likely to be openly proclaimed at an early day, for the leading Spanish officers not only privately assure the Dominican Cabinet that the United States will soon be forced to abandon the Monroe Doctrine, but ostentatiously speak in their social circles that their government is seeking an opportunity to suppress American populations in the sea of the Antilles.

Immediately on the return of the Spanish representatives from the late decisive conference with Santana, the Dominican war Schooner La Muced, was ordered to proceed forthwith to St. Domingo and a merchant vessel, the Ogale, was pressed to take down a detachment of soldiers.

1023

The expedition found twelve persons at Atacola getting out guano, as they stated, for the firm of Peterson & Murguendae of Baltimore.

They were ordered to collect their property and quit the island in twenty-four hours. The Dominican officer was informed that the manager, Capt. A. S. Kimbal, was absent with the schooner Alice Moore, and they had no way of leaving the island until his return.

The commander answered that his instructions were peremptory, but in the absence of Kimbal, he would give them passage.

Punifon was then asked for one man to remain at Atacola in charge of the property until Capt. Kimbal should arrive with the Alice Moore, that he might learn what had happened and make arrangements for the relief of the party carried to Santo Domingo.

This was also refused and the whole party embarked in the Dominican vessel with as much of their property as could be taken on board. They reached Santo Domingo Oct 27<sup>th</sup> and were turned over, with their effects, to the United States Commercial Agent, without further proceedings against them.

End

With the consent of the Dominican commander, a letter to Capt. Kimbal was left where he was likely to meet it on his return to Atacola, informing

him of these wants, and that he would find his  
special labours at the City of Santo Domingo.

On the 15<sup>th</sup> inst. Capt Kimball appeared  
before this port in the Schooner Rice Moore, to ask  
the advice and protection of the United States Commer-  
cial agent. He anchored outside and sent a note  
to Mr. Elliot to that effect. Mr. Elliot replied by a  
verbal answer to come inside, which was accordingly  
done, though I fear this step may lead to disagreeable  
results, as the Spanish Members of the Dominican  
Cabinet are inclined to confiscate his vessel.

Begin

When the intelligence of the American  
works at Miraflores reached this government, it was  
thought that the President of the United States  
knowing it to be a barren, outlying key, off the southern  
coast in dispute between the Dominican Republic and  
Hayti had sanctioned its temporary occupation  
under the corresponding act of Congress.

End

Hence my anxiety to prevent the catas-  
trophes incident to the operations there being carried  
off by force. Up to this period the Executive has not  
yielded to those members of the Cabinet who urge  
severe measures, and I hope the whole affair will  
be amicably adjusted.

Begin

Capt. Kimball's explanations are to  
this effect. He was one of the earliest explorers

for guano islands in the Caribbean Sea, and had frequently visited Atacola between the years 1842 and 1860, in which he finally entered upon its occupation. In all these visits, and during his seven months occupation, neither he nor his people had ever met, to the best of his knowledge and belief, a single Dominican in that vicinity, except on one occasion and that one one of no significance, until the period of their expulsion. He generally found Haytiens on the island of Brata (between Atacola and the main land) and always saw them in unmolested possession. The Haytian authorities once sent an Officer to inquire into the business of the Americans at Atacola, but learning they were engaged in a purely industrial pursuit, no objection was made to their stay.

Knowing that Hayti does not admit that the nearest adjacent coast belongs to the Dominican Republic, and seeing that whatever there was of occupation and jurisdiction, was to all appearance fully and exclusively exercised by Haytian citizens and officials, he concludes that he had a right to suppose that he was at the worst a tenant by sufferance of the de facto sovereign of Atacola, if that island really belonged to any government at all. End

He also asserts that no resistance was

was offered to the Dominican Officers, and that the report of some of the persons sent down in the first instance, that his employees refused to haul down the American flag and evacuate the island, is wholly unfounded. That was simply an official visit of inquiry, and the occupants gave their answers and explanations in all frankness and respect.

According to this showing, the case dwindles down to an involuntary trespass on the Dominican soil, and ought to be settled on the spot without much difficulty.

This government considers Miravalles an appanage of the province of Azua, but the position of its frontier opposite this island and Beata, is included in the depopulated district foraged by the Haytiens. It is claimed by this republic because it is within the lines of the old Spanish Colony. Hayti insists that those lines were effaced forever by the fusion of the ancient French and Spanish divisions in one nation.

The dividing line between Hayti and the Dominican Republic is therefore at present an open question, but it is feared here that it will soon be settled on terms terribly adverse to the Dominicans. I am confidentially informed that this government has been notified that France

positively insists on an immediate treaty with  
Hayti, and that a naval force may be expected  
here in a short time to enforce this demand.  
That this is the prelude to a compulsory annexation  
to Hayti, no one in the secret doubts, but what part  
Spain has taken, or will take, in the affair, is evidently  
a question of anxious and bewildering uncertainty  
with every member of this government.

I have the honor to be Sir

Yours Very Obedient Servant

William L. Gagneau

1028

Recd St. Louis Mr. Washburn

Dispatch No. 15

Santo Domingo

November 17<sup>th</sup> 1860

1029

Hon<sup>ble</sup> Lewis Cass

Secretary of State

Sir

The Dominican government, after some vacillation, has finally decided to accept in full the policy dictated by its Spanish Protectors.

In order to carry out this understanding General Santana is formally invested with a temporary dictatorship. In promise of military support from Spain, with immediate pecuniary aid in the form of a loan of half a million of dollars, decided his course, as well as that of the Senate in Council, in its sanction of his assumption of extraordinary powers.

Should this loan happen not to be forthcoming, or should Spain take the alarm and recede from her liberal engagements, or finally should the bitter and wide-spread discontent of the masses, at the re-introduction of their old Spanish masters, break forth in a revolution, there will be an instant change of programme.

In that event the Dominican Republic will once more implore the friendly recognition of the United States, and it will again proffer a free port at Samana or Manzanillo, as an inducement to our Government to enter into treaty relations.

Unless one or the other of these contingencies should arise to put a new face on affairs, the Dominican Republic - now the avowed ward of the Spanish Crown - will tranquilly subside into a coolie Colony under the absolute government of the mother country, with possibly an after-thought of ultimate cession to France.

This new policy is likely to be openly proclaimed at an early day, for the leading Spanish Officials not only privately assure the Dominican Cabinet that the United States will soon be forced to abandon the Monroe doctrine, but ostentatiously assert in their social circles that their government is seeking an opportunity to repress American pretensions in the sea of the Antilles.

Immediately on the return of the Spanish representatives from the late decisive conference with Santana, the

1031

Dominican war Schooner La Merced was ordered to proceed forthwith to Havana and a merchant, the Legato, was pressed to take down a detachment of soldiers.

The expedition found twelve persons at Havana getting out guano, as they stated, for the firm of Patterson & Maguendo, of Baltimore. They were ordered to collect their property and quit the island in twenty four. The Dominican official was informed that the Manager, Capt. R. S. Kimball, was absent with the Schooner Alice Mow, and they had no way of leaving the island until his return.

The commander answered that his instructions were peremptory, but in the absence of other conveyance he would give them passage. Permission was then asked for one man to remain at Havana in charge of the property until Capt. Kimball should arrive with the Alice Mow, that he might learn what had happened and make arrangements for the relief of the party carried to Santo Domingo.

This was also refused and the whole party embarked in the Dominican vessel with as much of their property as could be taken on board. They reached Santo Domingo Oct 27.

and were turned over, with their effects, to the U. S. Commercial Agent without further proceedings against them.

With the consent of the Dominican Commander a letter to Capt. Kimball was left where he was likely to meet it on his return to Maviela, informing him of these events and that he would find his ejected labours at the City of Santo Domingo.

On the 15<sup>th</sup> inst. Capt. Kimball appeared before this port in the Schooner Alice Brown, to ask the advice and protection of the United States Commercial Agent. He anchored outside and sent in a note to Mr. Elliot to that effect. Mr. Elliot replied by a verbal direction to come inboard, which was accordingly done, though I fear this step may lead to disagreeable results, as the Spanish members of the Dominican Cabinet are inclined to confiscate his vessel.

When the intelligence of the American works at Maviela reached this government it was thought that the President of the United States, knowing it to be a barren, outlying key, off the desolated coast in dispute between the Dominican Republic and Hayti, had sanctioned its temporary occupation under the corresponding act of Congress.

since my anxiety to prevent the entanglements incident to the operations there being carried off by force. Up to this period the Executive has not acted on the views of members of the Cabinet, who urge severe measures, and I hope the whole affair will be amicably adjusted.

Capt. Kimball's explanations are to this effect: He was one of the earliest explorers for guano islands in the Caribbean Sea, and had frequently visited Matavila between the years 1842 and 1860, in which he finally settled upon its occupation. In all these visits, and during his seven months occupation, neither he nor his people, had ever met, to the best of his knowledge & belief, a single Dominican in that vicinity, except on one occasion, and that one of no significance, until the period of their expulsion. He generally found Haytiens on the island of Beata (between Matavila and the main land) and always saw them in unmolested possession. The Haytian authorities once sent an officer to enquire into the business of the Americans at Matavila, but learning they were engaged in a purely industrial pursuit, no objection was made to their stay.

Knowing that Haiti does not admit

1034

that the nearest adjacent coast belongs to the Dominican Republic, and seeing that whatever there was of occupation and jurisdiction was to all appearance fully and exclusively exercised by Haitian citizens and officials, he contends that he had a right to suppose that, at the worst, he was a tenant by sufferance of the de facto sovereign of Mucela, if that island really belonged to any government at all.

He also asserts that no resistance was ever offered to the Dominican officers, and that the report of some of the persons sent down in the first instance, that his employees refused to haul down the American flag and evacuate the island, is wholly unfounded. That was simply an official visit of inquiry, and the occupants gave their answers and explanations in all frankness and respect.

According to this showing the case dwindles down to an involuntary trespass on the Dominican soil, and ought to be settled without much difficulty, on the spot.

This government considers Mucela an appanage of the province of Ayua, but the portion of its territory opposite this island and Beata, is included in the depopulated district, foraged

by the Haytiens. It is claimed by this republic because it is within the lines of the old Spanish colony, while Hayti insists that these lines were effaced forever by the fusion of the ancient French and Spanish divisions, in one nation.

The dividing line between Hayti and the Dominican Republic is therefore at present an open question, but it is feared here that it will soon be settled on terms verily adverse to the Dominicans. I am confidentially informed that this government has been notified that France positively insists on an immediate treaty with Hayti, and that a naval force may be expected here in a short time to enforce this demand.

That this is the prelude to a compulsory annexation to Hayti no one in the secret doubts, but what part Spain has taken, or will take, in the affair is evidently a question of anxious and bewildering uncertainty with every member of this government.

I have the honor to be Sir  
Yours Very Obedient Servant  
William L. Gagneau

1036

Recd 1. Feb. Mr. Markey  
Despatch No. 16.

1037

Santo Domingo

Jan'y 11 1861

Hon Lewis Cass

Secretary of State

Sir

The arrangements  
for a Spanish protectorate - or more strictly  
speaking for a military dictatorship over  
this Dominican Republic, of which I had the  
honour to give early and regular informa-  
-tion to the Department of State, are to be  
carried into immediate effect.

The fact was denied here, while  
denial was at all possible, but now the Dom-  
-nicans people are perfectly aware that their  
national liberties have been sold and that  
their territory has virtually been granted  
to Spain for a Coolie colony.

Four fifths of the Dominicans with-  
-out distinction of Clap or Color are intensely  
disgusted at the prospect of returning to the  
Spanish Yoke, and most of the interior districts  
are on the eve of revolt. This was anticipa-  
-ted, and abundant supplies of arms previously  
provided by Spain for the purpose have already

been distributed at the points most favorable for the military command and prompt subjugation of the country.

A regiment of Spanish soldiers is daily expected here from Cadix, to assist in quelling the desperate resistance which it is evident the masses will make to the surrender of their independence.

It is understood that Spain engages to afford its partizans in this government, the military force necessary to hold and defend the seat of government - the walled city of Santo Domingo - against the assaults of the incensed people - It will be strictly a war of the whole country against Spain and her handful of adherents, entrenched in Santo Domingo - The Spanish party will be enclosed in, and confined to the few fortified points which they may be able to occupy in advance, and maintained by the force of foreign bayonets.

The slightest movement from the side of Hayti, will precipitate the whole island in a fierce war of races, and the whites can hardly fail to be sacrificed. Our citizens in business here, and the large

interests which they were beginning to establish under the liberal laws of the republic, cannot hope to escape their share of suffering, and all men of ordinary foresight are watching the course of events with fearful anxiety.

I have the honor to be Sir

Respectfully Your Obedient Servant

William L. Gagneau

10210

Recd 2nd Apr. Mr Minister 1041  
Despatch No. 16 - Duplicate.

Santo Domingo

Jan'y 11<sup>th</sup> 1861

Hon Lewis Cass

Secretary of State

Sir

The arrangements  
for a Spanish protectorate, or more strictly  
speaking for a military dictatorship over  
the Dominican Republic, of which I had  
the honor to give early and regular in-  
formation to the Department of State, are  
to be carried into immediate effect

The fact was denied here  
while denial was at all possible, but  
now the Dominican people are perfectly  
aware that their national liberties  
have been sold and their territory  
has virtually been granted to Spain for  
a Coolie Colony

Four fifths of the Dominicans  
without distinction of class or color are  
intensely dismayed at the prospect of  
returning to the Spanish yoke, and most

of the interior districts are on the eve of revolt. This was anticipated, and abundant supplies of arms, previously provided by Spain for the purpose, have already been distributed at the points most favorable for the command and prompt subjugation of the country.

A regiment of Spanish soldiers is expected here from Cadix, to assist in quelling the desperate resistance which it is evident the natives will make to the surrender of their independence.

It is understood that Spain engages to afford its partizans in this government, the military force necessary to hold and defend the seat of government, the walled city of Santo Domingo, against the assaults of the incensed people.

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I have the honor to be Sir

Respectfully Yours W<sup>th</sup> Best.

William L. Gayneau

1044

Recd 1. Feby. No Mark

1045-

Santo Domingo

Jan'y 17<sup>th</sup> 1861

Hon<sup>ble</sup> Lewis Cass

Secretary of State

Sir

In accordance with  
instructions I have this day drawn upon  
the Department of State at sight for  
Twelve Hundred dollars in favor of S. M.  
Fabens of this place

I have the honor to be Sir

Your very obedient servant

William L. Gayneau

1046

Dispatch No 17

Recd 2 Apr - Mr Markin 1857

Santo Domingo Feb 16<sup>th</sup> 1861

Hon<sup>ble</sup> J. S. Black

Secretary of State

Sir,

I have the honor  
to acknowledge the receipt of dispatch  
No 8. January 15<sup>th</sup> 1861. respecting the claims  
of Mess<sup>rs</sup> Ketchell, Collins & Co. of Boston, against  
this government.

Directly after my attention  
was called to the subject in dispatch  
No. 4. December 30<sup>th</sup> 1859, I made diligent  
efforts to obtain from the Dominican  
Government some proffer of fair adjustment  
or at least an admission of its motives for  
sending back the powder, which it had  
ordered from that house.

This Cabinet has uniformly  
adhered to the statement, that the powder  
received was not of the quality ordered,  
and proved to be unfit for the service  
required. On these grounds it persists in

1048

declaring it has nothing more to do in the matter; although it may yet reconsider this declaration.

I endeavored to obtain evidence as to the real character of the powder, for it seems to me highly improbable that an intelligent and responsible commercial firm, would expose its name and interests to inevitable injury, by mixing the order of this government with a different article, for which it had no use.

As the receipt and re-shipment of the powder fell within the charge of a limited number of government officials I was unable to obtain the requisite proofs being anxious to place the affair on a firm and distinct stand-point, from which a demand for an equitable settlement can be persistently urged, and for which the parties concerned are the only ones who can supply the necessary data. I applied to Messrs. Kittell, Collins & Co. for a copy of which I herewith transmit.

The Department of State having forwarded to me the letter of that firm, dated December 13<sup>th</sup> 1859, I deemed this

the most prompt and convenient form  
in which that firm could be advised of  
the situation of its claim

To this letter I have received no  
answer whatever, and hence I was led to  
believe the firm had for the present  
abandoned the prosecution of the claim

This government has of late  
manifested a strong wish to improve its  
relations with our Country, and particu-  
larly to promote trade and immigration,  
and this may aid my renewed attempts  
to secure a favorable settlement of this  
too-long delayed account

I have the honor to be Sir

Most respectfully Yours Very Obedient

William L. Gayneau

1050

3  
Re: Heller Mr. Walker

Dispatch No 18

1037

Santo Domingo Feb 19<sup>th</sup> 1861

Begin

Hon<sup>d</sup> J. S. Black

Secretary of State

Sir,

I have the honor to acknowledge the receipt of your dispatch, No 7. Jan 15. respecting the forcible expulsion from the island of Matabela, by troops of the Dominican government - of persons engaged in procuring guano for a commercial house in the City of Baltimore, and I will endeavor to place before you a distinct account of all the circumstances of the case, together with the reasons assigned by the Dominican government for its summary action in the premises.

Matabela is a small desert Cay, lying according to some charts more than five leagues, and by the map of this island, published by order of the government, somewhat less than that distance, to the southward of that "border belt" which has been completely

1052

isolated by the wars between the Dominican and Haytian Republics - Neither government permits the citizens of the other to live on this frontier, and a long margin of the mainland nearest to Atabola Cay is a depopulated waste, without settled inhabitants, without cultivation, and in point of actual fact without a government.

End

The Dominican government claims this depopulated district, because it is within the line of the old Spanish Colony, which now constitutes the territory of this Republic. By a law of 1855 it is defined as a portion of the province of Azua, together with the adjacent islets, Beata and Atabola, which are then named as dependencies of that province. Except however in the ascent of the War Schooner Merced on the American guano diggers, last October, I cannot ascertain that this Republic has ever exercised the sovereign duties of protection or government, on either Beata or Atabola, since it has been a nation. In discussing this point with the Minister of Foreign Affairs, I requested <sup>him</sup> to cite an instance in which a de facto jurisdiction had been extended over these outlying Cays, but he was

1053

unable to go beyond the two days devoted to the capture of the American labors, and the removal and destruction of their property by the Dominican forces

The neighboring islet of Brata has a scant supply of fresh water of which Atabela is entirely destitute - and it is therefore occasionally occupied by the Haitian fishermen, but so far as I can learn Dominicans rarely, if ever, venture there

The Haitian authorities made a visit of inquiry to the Americans at Atabela, very soon after they commenced work, five months before any Dominican whatever seems to have approached the place - On being informed that an American guano company had taken possession of it, under the same Act of Congress which protected another company at work on the similarly situated, and not distant, islet of Navasa, the Haitian officers withdrew without offering them any molestation

The American explorers had in their repeated visits to the Cay, always found it desolate, unused, and to all appearance outside of that care and charge which is the usual evidence of settled jurisdiction, with

any recognized government, and they publicly entered upon its possession as a guano deposit within the scope and meaning of the Act of Congress of August 1856 "To authorize protection to be given to citizens of the United States who may discover deposits of guano."

As the government of Hayti, which exercises the only visible jurisdiction in that neighborhood and disputes with the Dominican Republic sovereignty over the entire coast opposite, had - after an official visit of inquiry and with a full knowledge of their manner of occupation - permitted the guano company to continue their business without remonstrance, our citizens were not inexcusable - as I remarked to the Dominican Executive - in supposing themselves in justifiable possession of the bay. If there could be any doubt of the completeness of their <sup>right</sup> of occupation, under the Act of Congress before cited, they seemed entitled to consider themselves tenants at will of the government of Hayti, rather than trespassers on the soil and sovereignty of the Dominican Republic, which had never given them any intimation of its claims, until the very day it sent a military expedition to dislodge them.

When this occurred I did not fail to inquire of the Dominican authorities why they had permitted these citizens to remain on Ataceta for seven consecutive months, steadily at work, investing capital and labor, in opening a crude, unbroken guano field, and preparing for extensive and profitable development, without warning them of the claims now put forth by their government; and why instead of allowing them a calm and legal hearing, these men were carried away by a sudden military assault on their persons and flag, destroying much of their property, and <sup>bringing</sup> the parties to this city in an undignified captivity, uncertain whether they were to regard themselves as prisoners of war, though in a time of profound peace between their respective nations, or men to be tried as criminals for some nameless and unexplained culpability. To these questions I was never able to obtain a lucid and satisfactory answer, but I am conscious that my remonstrances had the effect of deciding this government to abstain from following up the harsh measures initiated at Ataceta.

From the evidence I have collected,  
and now before this government, which I  
understand corresponds with that on file  
in the Department of State at Washington,  
the entire history of this case, together with  
the past action and present position of this  
government may thus be briefly summed up:

Begin

S. B. Kimball, a citizen of the  
United States, landed on Atacora in Novem-  
ber 1859, to explore the bay for guano deposits,  
and then carried away samples which on  
analysis proved to be the article he sought.  
He returned Feb. 23<sup>d</sup> 1860 to make further  
surveys. Finding it always in the same condition  
- uninhabited - without any signs of previous  
occupation, and apparently outside the  
care and jurisdiction of any known government,  
he decided to take possession of it, under the  
corresponding act of Congress, in behalf of  
his employers, Mess<sup>rs</sup> Patterson & Musgrave  
of Baltimore. To commence operations he  
brought out from Baltimore John A. Miller, with  
two assistants and the necessary materials  
and landed them on Atacora, where they  
assumed formal possession March 24<sup>th</sup> 1860,  
and went to work. They only announced

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this occupation by raising the American flag,  
 putting up conspicuously a notice that it was  
 done under the guano act of August 1856, and  
 posting a copy of that act where it was most  
 likely to be seen by other parties landing on  
 the bay. The flag of the United States was  
 habitually run up the staff prepared for the  
 purpose, whenever a vessel was descried near-  
 ing the island, and from all this open proclamation  
 of intent and action, it may fairly be inferred  
 that the parties in occupation at Atacama, were  
 much more anxious about guarding their  
 position from the encroachments of other parties  
 in search of guano, than fearful of the  
 opposition of the neighboring governments.  
 The seven months through which they pro-  
 secuted their work without interruption,  
 always living on the most amicable terms  
 with their Mexican neighbors - who occasion-  
 ally assisted them to fresh water - and  
 constantly engaged in improving their  
 facilities and enlarging their plan  
 of action, was certainly a period of time  
 calculated to confirm the apparent legality  
 of the enterprise. // End

On the 8<sup>th</sup> of April 1860, a Spanish

vessel of war saw the American colors flying and sent a boat on shore to demand by whom, and for what reason, Ataveta was occupied - He was frankly and fully answered - no attempt was made to conceal the objects, principals or progress of the American gunnery company, and the Spanish officers departed without putting in any objection - As the Spanish protectorate over the Dominican Republic was at that very time an accepted - though secret - matter, it is singular that notice was not then taken of the American occupation of Ataveta - If it was held to be incontestably a portion of the Dominican territory, and as such under the implied protection of Spain, immediate warning might then have been given, instead of waiting half a year, until heavy interests were involved in its development.

In the same month of April, soon after the Spanish visit of inquiry, the Haitian authorities of Jacmel sent a boat with an officer to inquire into the nature of the occupation of the Cay

9  
1039

He received the same free and unreserved  
answer and retired in like manner  
without putting in the slightest protest  
against the tenure or mode of occupation

The Dominican War Schooner  
Merced visited Atacama Sep<sup>r</sup> 4<sup>th</sup> 1860 -  
which the occupants state to have been  
the first time they had seen the Dominican  
flag on any craft, or <sup>any</sup> person claiming the  
Dominican Nationality, in that vicinity.  
The officers made inquiries similar to those  
propounded in April by the officers of  
Spain and Hayti, receiving the same  
answers and explanations, and in like  
manner the Dominican officer left  
Atacama without asserting jurisdiction  
over it, or in any form warning the  
guano workers that they trespassed  
on Dominican soil - They saw the  
American flag floating from its prema-  
=nent staff and the American Brig  
Mary Martin at her moorings, receiving  
a cargo of guano, and all questions  
respecting them were cheerfully answered  
by Mr. Miller and his workmen - A copy  
of the <sup>act</sup> guano of August 1856, was produced

1060

and all that had been done under it fully stated. The Dominican officer made no comments in reply, but after politely asking for a few buckets of guano, which were promptly conveyed on board, he set sail for Santo Domingo.

About the time the *Muced* reached here I obtained my first knowledge of the affair and I made every effort to place it in the best light for easy adjustment. Unfortunately this Cabinet was resolved at all hazards to get a tangible hold on Alvarado and its guano profits, and I am satisfied that the intention was to privately dispatch a force to dispossess the American occupants before I could have an opportunity for interposition. I learned it however before the *Muced* started on her mission of force, and had pressed upon the attention of this government every argument I could adduce in favor of forbearance.

The Dominican Minister of Foreign Affairs then insisted, as he does still, that the Dominican right of sovereignty was full and undeniable, and consequently

carried with it ample and unchallengeable powers to deal at discretion with all acts invasive of the territory of the Republic. I was compelled to remind him of the dubious and isolated position of the Mikluk unregarded sandspit of Allabela, and the total absence of a de facto jurisdiction over it and the nearest coast. I also appealed to the public manner in which our Citizens had entered upon its possession, as an evidence of their honest belief that they were acting under the sanction of a law of the United States.

As I had the honor to inform my government in dispatch No. 14, Oct. 13<sup>th</sup> 1860, I stated to this government the exact character of our guano act of 1856, and explained how the exigencies of a spreading civilization had induced Congress to permit our Citizens to utilize, for the general benefit of mankind the desert sand Cays scattered over the face of these seas, which no other people had taken the trouble to occupy and develop. While I contended that the mere fact of naming one of these outlying Cays in a Map, or decree, ought not to be sufficient in

itself to confer on any power the positive right to prohibit its use to the whole human race - I also declared that my government would be the last in the world to infringe on the just rights of a sister republic - I dwelt with particular care on the clause of the guano act which empowers the President of the United States to terminate at once any occupation under it, should the just remonstrances of a friendly nation, or other good cause, make such a course advisable

Notwithstanding these representations the Merced was ordered to return to Atacama with a detachment of soldiers and clear the bay of the Americans. Twelve men were brought to this City, together with so much of the property as could be shipped on board the war Schooner, and delivered over to the charge of Mr. Elliot, the United States Commercial Agent

When the Merced landed a force on Atacama, directed to tear down the flag staff and dwelling places of the occupants, with peremptory orders

for the total evacuation of the Cay within twenty four hours, Mr. Miller, the agent in charge, asked permission to leave one man there to take care of the property which could not be taken away, and also to apprise Capt. Kimball, on his return from Jamaica, of the forcible removal of his people to Santo Domingo. This was refused but Mr. Miller was allowed by the commanding officer, Don Juan Cortez, to place a letter where Capt. Kimball would be likely to find it, in which he was informed of their capture and destination. I name this now, for I regret to say that after Capt. Kimball came into the port of Santo Domingo for his men, under this implied pledge of safety, the Dominican authorities were, for a time, disposed to seize his vessel and bring him before the tribunals.

In the interval between the first and second visits of the Muced, Capt. Kimball arrived from Baltimore with a reinforcement of laborers, six months provisions, mules, carts, and all appliances for an enlarged plan of operations. He then heard of the late visit of the Muced, but

so far was he from supposing there was any thing to fear from Santo Domingo, that he went on to Jamaica with his Schooner, without making provision for such a contingency as the forcible expulsion of his labours. When the Merced rounded to and dropped anchor, they were actually engaged in making and improving a Mole for the more convenient shipment of their guano.

The American claimants contend, that as their agents had always declared, openly and in good faith, what they believed to be their legal status at Atarvela, it was the duty of the Dominican officer <sup>to warn</sup> them of the counted claims of the Dominican Republic. Had he done so, Capt. Kimball might have retained his men, and cargo of supplies, on board his vessel, the Alice Mow, and reconveyed the labours and movables to the United States, at a small sacrifice, compared to that in which his principals were involved by their transportation to Santo Domingo.

Capt Kimball found Atarvela abandoned when he returned to it from

Jamaica, but the letter left by Mr Miller informed him how his works and workmen had been swept away, and he followed them on to this city in the Schooner Miss Mow

Directly on his arrival here, about the middle of November 1850, he called on me, to state his desire to come to a perfect understanding with this government. I gave him a full account of what I had attempted in behalf of the guano party at Atlatzela, and of the position taken by this government, both with regard to its sovereign rights over the bay, and its opposition to American occupation. He said Mr Elliot, the United States Commercial Agent, was of the opinion that an arrangement might be made for reinstating him in the possession of Atlatzela - I would not interfere with any measure that promised a speedy adjustment of the affair, but I forewarned Capt Kimball to be very exact and circumspect in his negotiations with this government, for I feared that his admissions would be perverted into a cover for his personal arrest and the confiscation of his vessel.

1866

The event justified my apprehensions. After several interviews, and the interchange of several notes, with the Dominican Authorities, in which the latter assumed that Capt. Kimball confessed their legal rights over the question they demanded payment for "the guano he had extracted without license from the Dominican territory." This was followed up by an order for his detention with the Schooner Alice Mow.

At this point I was obliged to interpose a strong protest against the violation by this government of the Salva Conducta implied in the letter left by consent of its officers at Altavilla. I also prepared for Capt. Kimball a full statement of his connection with the Cay, from his first explorations under the guano act of the United States, down to his visit to Santo Domingo for the relief of his capture laborers.

On the receipt of this document the order for the detention of the Alice Mow was forthwith revoked, and Capt. Kimball left in her with his workmen.

I have had two special interviews with President Santana this week, but while he expresses the utmost desire to do every thing in his power to manifest his cordial respect for the United States, he says his duty as the head of this republic compels him to maintain its supreme dominion over Atlixela. He re-affirms the right to capture and chastise all persons who may be found taking guano from it, but he also declares that from his sincere esteem for our people and government (and he was pleased to add from his confidence in my representations of the rectitude of their intentions) the men already arrested there, were dismissed in freedom, and with the least possible inquiry to their property, compatible with the indispensable effacement of every vestige of their unconsented occupation of Dominican territory.

I have already stated the basis of the Dominican claim of sovereignty and the arguments adduced in reference to the validity of the occupation of Atlixela,

1868

under the name act of the United States  
but it belongs to my government to determine  
their force and applicability.

I have the honor to be Sir

With great respect Your Obedt. Servt.

William L. Gagneau

Dispatch No. 20  
Duplicate

Mr. Marku

964

Special Agency of the United States

Santo Domingo May 13<sup>th</sup> 1861

Begin

Hon<sup>ble</sup> William H. Seward

Secretary of State

Sir

I had the honor to  
state to you under date of March 23<sup>d</sup> Dispatch  
No. 19, my firm conviction that the deep rooted  
aversion of the Dominicans to Spanish rule  
must eventually in a general uprising of the  
masses, and I may now add the work seems  
to have commenced

All the towns along the Haitian  
frontier are in commotion and the whole  
disposable Spanish force is at this moment  
fully occupied in suppressing popular resistance  
in that direction. Unless large reinforcements  
are speedily brought in from Cuba and Porto  
Rico, there is a strong probability that it will  
spread over the whole country and result in  
the restoration of the Dominican Republic //

End

In that event I presume the Dominicans

will establish a provisional government near the frontiers of Haiti, that it may receive aid and supplies by means of a close alliance with that Republic.

Although liberty of speech, as well as press, was suppressed by a late decree, the leading Dominicans begin to say that the Republic has not ceased to exist. They assume that its governmental functions are but temporarily suspended by a foreign force, and that a time and place will soon be found, in which its own legal officials will rally round their flag and resume all their constitutional duties, as the representatives of an independent nationality.

My long and intimate personal relations with many of the bravest and ablest men of this country, enable me to speak with absolute confidence of their hopes and plans. They intend to enter cautiously into the desperate struggle for the independence of their country, but will so maintain it as to prove to the civilized world that Spain only holds it by force of military subjugation, and not by the will of the people.

The judges of the Supreme Court,

966

and all but two members of the Senate, stand resolute in their refusal to recognize in the act of transfer to Spain any thing but a forcible and fraudulent usurpation. Threats and promises have not been spared, but no official sanction of Spanish supremacy was obtained from either the Legislative or judicial branches, and the Spanish officials, not caring to proceed to wholesale exterminations with such a body of men, in the presence of the diplomatic agents of other nations, have let the matter die out of sight.

It was at first the unanimous intention of the members of both these co-ordinate branches of the Dominican government, to forward to the governments of England and the United States a solemn protest against the destruction of their free constitution and independent nationality, through a treasonable abuse of the Executive power, sustained by foreign aid. In fact a draft of this document was voluntarily placed in my hands by the leaders of the movement, with an urgent request that I would lay it before the President of the United States, as soon as the perfect copy had received all the signatures. They also engaged

to obtain accurate accounts of the modes in which the authorities of several of the interior towns were coerced into certifying that their districts had "spontaneously declared their adhesion to the crown of Spain"

I earnestly desired to proceed to Washington without delay and place all this before you, but the defection of two Senators, who were moved by their fears, or their interests, to join the Spanish party, placed their late colleagues in a critical position and they became anxious to withdraw their papers and defer action until they could put their persons and families in safer circumstances, and I felt it due to them to restore the trust without taking copies. I regret the necessity, though it is almost certain that it will not prevent the realization of the general programme, for the re-organization of the Dominican Republic

General José M. Cabral, one of the best and most popular soldiers of the Republic, with General Ramirez Sanchez and other men of mark, are now sustaining a guerrilla war in a large section of the country along the confines of Hayti, and his friends here are full of faith that he will eventually gather a

sufficient force to proclaim the constitution  
and defend a provisional government in some  
strong central position. When this is done  
an alliance, offensive and defensive, will be  
entered into with Hayti, but with provisions  
which will insure to each of the contracting  
parties the most absolute national independence.  
The Constitution of the Dominican Republic is  
most liberal towards immigrants of all nations  
and lineages, and many of our citizens were  
beginning to avail themselves of its guarantees  
to a large extent when it was so abruptly super-  
seded by Spain. It may yet become a question  
with our government how far our citizens are  
entitled to protection when, after being induced  
to invest their capital here under assurances  
of freedom and security for person, property,  
and conscience, they suddenly find their  
interests destroyed by the arbitrary intervention  
of a foreign power.

Begin

End

I have the honor to be Sir,

With great respect Your M<sup>t</sup>. Serv<sup>t</sup>.

William L. Legrand

969

Special Agency of the United States

Santo Domingo June 28<sup>th</sup> 1861.

Hon<sup>ble</sup> William H. Seward

Secretary of State

Sir

I have the honor to enclose herewith the "Gaceta de Santo Domingo" of the 22<sup>d</sup> inst., in which you will see the official announcement of the Captain General, Don Pedro Santana, the last President of the deceased republic - that the Queen of Spain had accepted the annexation of the Spanish part of the Island of St. Domingo, which takes the rank of an integral province of the Spanish Monarchy.

This proclamation was accompanied by another announcing some "signal success" over the "Haytian invaders" - No blood was shed and no prize, or prisoner of war, was made, except a soldier's coat, sabre and horse trappings. The simple <sup>and</sup> fact is that "Haytian" is the enemy.

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name for a Dominican insurgent and so far from perfect tranquillity reigning on the frontier, as the government officers and gazette are strenuously assuring the public, nothing but the actual presence of a strong force keeps down an open revolution.

While the official "Gazette" is announcing a complete and permanent peace on the frontier the Guarda Nacional is being marched there in force and supplies of war are constantly pushed forward to the Haitian line, as if for a serious campaign.

General Santana is with the Spanish forces, to aid in placing the country under martial law, and with all his popularity with the army he finds it difficult to make the Dominicans serve under the Spaniards.

No one is permitted to contradict the reports of the official Gazette on pain of imprisonment, exile and death. The prohibition extends to conversations on slavery, and the expression of an opinion that Spain will some day introduce

slavery here, is declared to be treason and punishable by death under martial law

All this however does not stifle the murmurs of the populace, and some day may flame out in a desperate rebellion

Meanwhile every thing is promised to the Dominicans. Their depreciated paper money is to be redeemed in gold and silver, the meritorious officers of the late republic are to be generously provided for, the natives are to be exempted from military service and their public institutions are to be liberally maintained. It is also expected that trade will be declared free or nearly free in all the Dominican ports for the next two years, and this is doing much to conciliate the cities and little trading marts throughout the country, but it does not soften the sullen distrust of the masses. They feel a foreign master in every thing, and see that the most active movements are those to secure a firm military supremacy

I think the port and Peninsular of Samana will receive the most careful foraging from the Spanish government, with a view to the perfect control of the Mona Passage. The plan of the little village of Santa Barbara de Samana

Samana is to be extended to the proportions of an important commercial city; and it is to be favored almost immediately with a municipal charter on the most liberal scale ever accorded by Spain. The merchants and planters of Porto Rico have already agents on the ground obtaining sites. Workmen from Cuba are now busy repairing and arming the old fortifications. Every thing breathes of warlike preparation for the vigorous repression of the Dominican malcontents as well as the summary chastisement of Hayti. Yet with the odds of money, power and discipline so greatly on the side of Spain, I consider the chances at least equal that all may end in a merciless war of races, in which she may not only lose this island but see Cuba, if not Porto Rico, swept away in the general conflagration.

Begin

End

With great respect I have the honor to be Sir

Your very Obedient Servant

William L. Gagnau

Recd 20. Aug. Mr Marku 974

Special Agency of the United States  
Santo Domingo July 1<sup>st</sup> 1861

Hon<sup>ble</sup> William A. Seward

Secretary of State

Sir

In accordance with  
instructions dated April 7<sup>th</sup> 1859 I have this  
day drawn on the Department of State  
at sight for thirteen thousand dollars in  
favor of M<sup>rs</sup> S. M. Cazneau

I have the honor to be, Sir,

Respectfully Yours Very Obedt Servt

William S. Cazneau

Recd 20 Aug Mr. Mackin

976

Special Agency of the United States  
Santo Domingo July 1<sup>st</sup> 1866

Hon<sup>ble</sup> William H. Seward

Secretary of State

Sir

I have herewith  
drawn on the Department of State at sight in  
favor of Mr. L. M. Cazneau for Seven hundred  
and fifty two dollars for Office and traveling  
expenses as per enclosed accounts.

I have the honor to be, Sir

Yours Respectful and Obedt. Servt.

William L. Cazneau

JOEL ABBOT }  
H. A. ADAMS }

SEPTEMBER 22, 1854

JAPAN

Rec<sup>d</sup> 21<sup>st</sup> June.

Mr. Newark

U. S. Ship Macedonian  
Hong Kong April 3<sup>rd</sup> 1855

Sir,

I have the honor to inform you that ratifications of the Treaty with the Empire of Japan were exchanged at Simoda on the 21<sup>st</sup> of February last. Commander A. A. Adams of the Navy whose name was inserted by me in the power transmitted from the Department of State for that purpose, has recently arrived at this place, and I have directed him to return to the U. States by the Overland route. He will start on the 15<sup>th</sup> inst bearing with him the Japanese ratification, and also a certificate of the exchange signed by the Commissioners on both parts. I retain a duplicate of this certificate for your further instructions.

I have the honor to be,

Very Respectfully

Your Obedt<sup>l</sup> Servant

Lecl<sup>l</sup> Abbot.

Commander U. S. Squadron

East India & China Seas.

To,

The Hon<sup>ble</sup>

Wm<sup>l</sup> S. Marcy

Secretary of State

Washington, D. C.

Capt. Joel Abbott.

W. J. May

Hong Kong 3 Oct. 1855

Arriving. Exchange

& instructions of John

Smith, to let him know

the of the chance of

concern for H. A. Adams

Rec<sup>d</sup> 25<sup>th</sup> June

Mr. Markoe

Washington June 25<sup>th</sup> 1855

Sir

I have the honor to deliver herewith the Japanese ratification of the treaty made by Commodore Perry on the part of the United States at Kanagawa on the 31<sup>st</sup> of March 1854. The exchange of ratifications was made at Simoda on the 21<sup>st</sup> of Feb<sup>r</sup> last, with due form, and according to the certificate herewith enclosed. On this occasion I appeared as Commissioner for the United States, my name having been inserted by the commanding naval officer of the East India Squadron in the blank left for that purpose in the power signed by the President. I have also a ratified copy of some supplementary articles made by Commodore Perry to the treaty after its signature at Kanagawa, with a request from the Japanese Government that the ratification of these articles by the U. S. Government may be sent to Japan as soon after it is completed as may be convenient. I enclose also a copy of the order from Commodore Abbot under which I act.

I am very respectfully  
your obt. Servt

R. A. Adams

Comdr U. S. Navy

The Honorable

Wm. L. Marcy  
Secretary of State  
Washington

Capt. Jacob Abbott  
U. S. Navy

Commenced H. A. Adams.  
re. J. Adams - 1855 -  
Week. 25 paid. 1855 -  
Believing the rectified  
head with Jackson, the  
copy? the order of facts.  
Abbott under W. A. he  
acted -

Copy

No. 4. Flag Ship Macedonian

Whampoa, China Jan<sup>y</sup> 9 1853

Sir

You have been appointed to exchange ratifications of the treaty made with the Empire of Japan. You will be conveyed to the Port of Simoda in the No. 4. Steamer "Poukawan". Captain McClurey will have instructions to afford you every facility for the accomplishment of the object of your mission in a suitable manner. After the exchange of ratifications has been made you will proceed in the "Poukawan" to Shanghai, when you will take passage in the No. 4. Ship "Pandalia" for Hong Kong. On your arrival at Hong Kong you will report to me in person. But if in consequence of my absence, or the immediate departure of the overland mail you are unable to do so, you will communicate with me by letter enclosing a certificate of the exchange of ratifications; and in either case you will proceed by the first opportunity of the overland mail to the U. States, and deliver the Japanese ratification in person to the Secretary of State at Washington.

I am Sir

Very respectfully

Your Obedt. Servt.

(Signed)

John Abbott

Commander in Chief U. S. Naval

Forces in East India and China

has &c -

Wm. Adams

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TREATY

BETWEEN

THE UNITED STATES OF AMERICA

AND THE

EMPIRE OF JAPAN.

---

CONCLUDED MARCH 31, 1854;

RATIFIED AUGUST 7, 1854;

EXCHANGED FEBRUARY 21, 1855;

PROCLAIMED JUNE 22, 1855.

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BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

## A PROCLAMATION.

WHEREAS a treaty of peace and amity between the United States of America and the Empire of Japan was concluded and signed between their plenipotentiaries at Kanagawa on the thirty-first day of March, in the year of our Lord one thousand eight hundred and fifty-four, which treaty is, word for word, as follows:

The United States of America and the empire of Japan, desiring to establish firm, lasting, and sincere friendship between the two nations, have resolved to fix, in a manner clear and positive, by means of a treaty or general convention of peace and amity, the rules which shall in future be mutually observed in the intercourse of their respective countries; for which most desirable object the President of the United States has conferred full powers on his commissioner, Matthew Calbraith Perry, special ambassador of the United States to Japan, and the August Sovereign of Japan has given similar full powers to his commissioners, Hayashi, Dai-gaku-no-kami, Ido, prince of Tsus-Sima, Izawa, prince of Mimasaki, and Udon, member of the board of revenue. And the said commissioners, after having exchanged their said full powers, and duly considered the premises, have agreed to the following articles:

### ARTICLE I.

There shall be a perfect, permanent, and universal peace and a sincere and cordial amity between the United States of America on the one part, and the empire of Japan on the other part, and between their people respectively, without exception of persons or places.

### ARTICLE II.

The port of Simoda, in the principality of Idzu, and the port of Hakodade, in the principality of Matsumai, are granted by the Japanese as ports for the reception of American ships, where they can be supplied with wood, water, provisions, and coal, and other articles their necessities may require, as far as the

Japanese have them. The time for opening the first-named port is immediately on signing this treaty; the last-named port is to be opened immediately after the same day in the ensuing Japanese year. [Note.—A tariff of prices shall be given by the Japanese officers of the things which they can furnish, payment for which shall be made in gold and silver coin.]

### ARTICLE III.

Whenever ships of the United States are thrown or wrecked on the coast of Japan, the Japanese vessels will assist them, and carry their crews to Simoda, or Hakodade, and hand them over to their countrymen appointed to receive them; whatever articles the shipwrecked

men may have preserved shall likewise be restored, and the expenses incurred in the rescue and support of Americans and Japanese who may thus be thrown upon the shores of either nation are not to be refunded.

#### ARTICLE IV.

Those shipwrecked persons and other citizens of the United States shall be free as in other countries, and not subjected to confinement, but shall be amenable to just laws.

#### ARTICLE V.

Shipwrecked men and other citizens of the United States, temporarily living at Simoda and Hakodade, shall not be subject to such restrictions and confinement as the Dutch and Chinese are at Nagasaki, but shall be free at Simoda to go where they please within the limits of seven Japanese miles (or *ri*) from a small island in the harbor of Simoda, marked on the accompanying chart hereto appended; and shall in like manner be free to go where they please at Hakodade, within limits to be defined after the visit of the United States squadron to that place.

#### ARTICLE VI.

If there be any other sort of goods wanted, or any business which shall require to be arranged, there shall be careful deliberation between the parties in order to settle such matters.

#### ARTICLE VII.

It is agreed that ships of the United States resorting to the ports open to them shall be permitted to exchange gold and silver coin and articles of goods for other articles of goods, under such regulations as shall be temporarily established by the Japanese government for that purpose. It is stipulated, however, that the ships of the United States shall be permitted to carry away whatever articles they are unwilling to exchange.

#### ARTICLE VIII.

Wood, water, provisions, coal, and goods required, shall only be procured through the agency of Japanese officers appointed for that purpose, and in no other manner.

#### ARTICLE IX.

It is agreed that if at any future day the government of Japan shall grant to any other nation or nations privileges and advantages which are not herein granted to the United States and the citizens thereof, that these same privileges and advantages shall be granted likewise to the United States and to the citizens thereof, without any consultation or delay.

#### ARTICLE X.

Ships of the United States shall be permitted to resort to no other ports in Japan but Simoda and Hakodade, unless in distress or forced by stress of weather.

#### ARTICLE XI.

There shall be appointed by the government of the United States consuls or agents to reside in Simoda, at any time after the expiration of eighteen months from the date of the signing of this treaty: provided that either of the two governments deem such arrangement necessary.

#### ARTICLE XII.

The present convention having been concluded and duly signed, shall be obligatory and faithfully observed by the United States of America and Japan, and by the citizens and subjects of each respective power; and it is to be ratified and approved by the President of the United States, by and with the advice and consent of the Senate thereof, and by the August Sovereign of Japan, and the ratification shall be exchanged within eighteen months from the date of the signature thereof, or sooner if practicable.

In faith whereof, we, the respective plenipotentiaries of the United States of America and the empire of Japan aforesaid, have signed and sealed these presents.

Done at Kanagawa this thirty-first day of March, in the year of our Lord Jesus Christ one thousand eight hundred and fifty-four, and of Kayei, the seventh year, third month, and third day.

M. C. PERRY.

And whereas the said treaty has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Simoda, on the 21st of February last, by Commander H. A. Adams, of the United States navy, and Ido Tsocsima, Nokami, Isawa Mimasaki, Nokami, Tsococki Socroega, Nokami, Ido Towsé, Kokahien Itsilo, with Tasnoske for interpreter, on the part of their respective governments:

Now, therefore, be it known that I, FRANKLIN PIERCE, President of the United States of America, have caused the said treaty to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

\*\*\*\*\*  
\* L. S. \*  
\*\*\*\*\*  
Done at the city of Washington, this twenty-second day of June, in the year of our Lord, one thousand eight hundred and fifty-five, and of the Independence of the United States the seventy-ninth.

FRANKLIN PIERCE.

By the President:

W. L. MARCY, *Secretary of State.*

Special Agents  
Papers relating  
to Japan Exhibition  
in a

Newspaper articles



also letters respecting the  
negotiations & delivery of  
the Treaty of Peace & Amity  
bet. the U.S. & Japan.

Signed March 31, 1854. -

From

John Abbott, Consul East India  
dated April 5, 1855.

Comd. H. A. Adams, apptd to deliver  
the treaty in U.S. June 25, 1855.

Shall I file these with ~~the~~  
Special Agents, ~~on~~ Beaumont papers?

Dec. 8/81

## The Japanese Expedition in a European Point of View.

[From the Dublin Nation, April 3.]

### THE "STRIPE AND STAR" IN THE EAST.

An expedition of singular interest has by this time sailed from the American shores, bound for the seas of Japan. The objects with which it is undertaken are to open to the intercourse of the world the immense sea-board of that mighty empire, to terminate the rigid exclusion which dooms to destruction the vessel of any nation which may seek the protection of its harbors from the perils of the deep, and to demand the release of numerous Europeans and Americans, captured by the jealous and cruel natives, and exhibited in iron cages in various parts of the Japanese territory. A polity similar to that which so long closed to other nations the seas and cities of China, and which isolated that people from the universal world, has co-existed, with but little relaxation, in Japan. Spreading over an area of more than 100,000 square miles, having a population of at least 30,000,000, rich in many agricultural and mineral productions, and possessing considerable manufacturing skill, it is a sealed kingdom to all nations but the Dutch and the Chinese, who enjoy a limited exchange of commodities with one or two of its cities. Its revenue amounts to forty millions sterling. Its people are spirited, and trained to a rude military discipline. The whole coast is a continued chain of fortifications, and custom and law shut it up in cold and mysterious separation from external intercourse. We also know it is governed by an Emperor, who commands an immense standing army, and that its capital city is Jeddo. But further, our knowledge has not penetrated.

America has undertaken to break, if possible, this immemorable isolation; and not without a just plea. The interests of her whale trade, which is daily growing into an enormous branch of enterprise, require that her fleets should have free access to and secure shelter along that immense line of sea-board which lies opposite her Pacific coast. And she has determined that the harbors of the Japanese territory shall not continue to be more destructive to her commerce and her crews, than the storms which drive her ships from the open sea to the dangers of more barbarous shores.

Three war steamers, a frigate, a sloop of war, and a storeship, under the command of the first naval officer in the United States service—Com. Perry—have started on the expedition, commissioned to seek an amicable arrangement, the release of the tortured captives, the freedom of the seas and harbors to the whole world, and to propose the establishment of commercial relations between the United States and Japan. The proposal for a commercial relation is left to the free choice of the country and government; but the other propositions are to be rigorously enforced by the whole strength of the squadron, if force be necessary. The American press claims for this project the sympathy of Europe; and certainly, as far as some of the objects of the expedition go, they should have the approbation of all men, for it is intolerable that the lives of innumerable mariners are sacrificed because the laws of Japan interdict its coast to the fleets of the world, and that its batteries are opened to murder those who land upon its shores, not from choice, but from the vicissitudes of a career which should excite commiseration, and command help, above all human occupations. But we confess we are not learned enough in the abstraction called the laws of nations to admit that it is competent on any one country absolutely to impose relationship and intercourse upon another against its will, and in contravention of its peculiar constitution. The interests of civilization and of religion are the ready and habitual pleas with which the advocates of such "propagations" silence all objectors. But if cruelties, similar to those which disgrace the British name in India, are the only benefits to be derived by civilization, and if apocryphal conversions, similar to those achieved for the Gospel in Southern Africa, be the only "vineyards" to be gained for religion, we doubt the morality and value of such bloody and unholy conquests.

Let America vindicate and defend the inviolability of her seamen, and exact protection for those adventurers of all the earth who live upon the wide and perilous waters; but let her statesmen remember, as a warning, the infamy which the atrocious opium war with China brought upon England, and let her government shrink from forcing upon a strange, independent, and weaker people, an intercourse which they do not desire, and which may be the fatal parent of their subjugation and destruction. She, the pioneer of the world's progress, the sentinel of human liberty, should not push her legitimate demands beyond the exact limits of righteousness—she should not permit a necessary enterprise to degenerate into a gigantic piracy. Let her remonstrate and arbitrate; but let not her unstained banner wave above a conquered nationality.

[From the London Examiner, April 17.]

### THE AMERICAN EXPEDITION TO JAPAN.

The great Atlantic republic is about to come into collision with the empire of Japan, and is sending an expedition to claim redress for flagrant violations of the law of nations, as well as with the hope to effect ultimately the grand object of obliging the Japanese to renew that intercourse with the rest of

which they have virtually laid an embargo for two centuries. By the laws of Japan, no native of the country can quit it, nor foreigner enter it, under pain of death, or at best of perpetual imprisonment. This law was enacted in consequence of the intrigues of the Portuguese and Spanish priesthood, who, according to the view taken by the Japanese of their conduct, were, under the mask of religious conversion, sapping the foundations of government. Before the edicts of seclusion and isolation took effect, the Japanese, as do now the Chinese, had carried on trade with the islands of the Indian Archipelago; and even as far west as Malacca and Bantam their merchants were found in the beginning of the sixteenth century, by the Portuguese, on their first arrival in those seas, and were there distinguished above all other Asiatic traders for their integrity. Even as late as the commencement of the subsequent century, we find them employed, as what we should now call Sepoys, by the European insular governments, being chosen as such from among many nations, for superior courage and fidelity.

The law of exclusion has continued to be carried into effect by the Japanese government to the length of inhumanity; and, indeed, to be effectual at all, it could hardly be otherwise. Foreign ships in distress approaching the shores of Japan, instead of being assisted, are repelled by force and insult; shipwrecked mariners are imprisoned, exhibited in cages, or put to death; and cargoes are confiscated. There certainly can, in this case, be no question of a palpable violation of the law of nature and nations; for, independent of the crimes perpetrated, and which amount to a virtual piracy, the Japanese have no more right to preclude access to their coasts than to bar a similar extent of the ocean, both being equally the common inheritance of mankind. The subjects of the American republic have of late been the chief victims of this barbarous and intolerable law; the fishing grounds of their whalers being close to the Japan islands, which afford, naturally, their most convenient ports of refuge, and several hundreds of them passing yearly through the strait which divides the great island of Niepon from the more northern large one of Jesso.

The Americans, now planted on the shores of the Pacific, send a force to demand reparation for injuries done to themselves by such flagrant violation of the laws of nature and society—to compel the Japanese to renew their intercourse with the rest of mankind, and to forbear from the practice of a ferocious inhospitality. For the common good of the world, and for the sake of civilization and justice, we wish them every success, although we have our own doubts whether the means they propose to apply be adequate to the end they contemplate to attain.

Let us see. The area of the Japanese empire is said to be 266,000 square miles, which makes it larger than France and England put together. The population is reckoned by the American writers, and probably without undue exaggeration, at thirty millions; less civilized, no doubt, than the Chinese, but a good deal more hardy and warlike. Japan does not contain, as China does, great navigable rivers by which an invader can penetrate into the interior; nor does one part of the Japanese empire depend for food on another, as the northern provinces of China do on those of the southern, so that the Japanese cannot be starved by an invader into a capitulation, as we starved the Chinese, by carrying our operations to the head of the great artery that feeds the Chinese capital. Japan, moreover, does not contain, like China, two distinct races of unalloyed men—conquerors and conquered—the last ready to rise in revolt against the first, and far outnumbering them. The Japanese who rule and are ruled, are, on the contrary, one and the same people.

The Japanese are assailable alone by their coasts, and that only where a great town is so near the shore as to be open to the broadsides of the American squadron. The redress squadron is to consist of three powerful steam frigates, one sailing frigate, one corvette, and a store ship. Including sailors and marines, we fancy the whole force cannot well exceed 2,000 men; and we cannot agree with an American journalist in thinking that such a force will be sufficient to coerce a vain, ignorant, semi-barbarous, and sanguinary nation of thirty millions of people, into the surrender of an organic law of 200 years' standing. The only chance of success, as it appears to us, is likely to be found in a bombardment of Jeddo, the capital of the secular Emperor, which lies at the head of a deep and accessible bay on the eastern side of the great island. We notice that light field-pieces are spoken of in the American newspapers; but such an incumbrance, which implies landing, ought not to be thought of. The Americans must not quit their wooden walls. Within these they are powerful and unconquerable; but, landing, they could not penetrate five miles into the interior without inevitable perdition. In our own contest with China, a simpleton in authority proposed to march, with our whole disposable force, from the river Peiho on Peking, a march of 120 miles, with a view of catching the Emperor. Fortunately, the rash project was not carried out, for if it had been, we should certainly have caught a Tartar, but not the one we went in search of.

J. W. FABENS

OCTOBER 1854

NICARAGUA

Joseph M. Faberius  
Dec 21<sup>st</sup> to 1854  
July 21<sup>st</sup> 1855

Recd 3d Jan'y.

U. S. Ship Columbia  
at San Juan. Dec<sup>r</sup> 21<sup>st</sup> 1854

Hon<sup>ble</sup> William L. Marcy  
Secretary of State  
of the United States.  
Washington, D. C.

Sir,

I have the honor to re-  
port to you my arrival at  
this port yesterday, 20<sup>th</sup> in-  
stant, per U. S. Ship Columbia.

There are three British  
vessels of war now in the  
harbor, seven frigates "Ter-  
magant", frigate "Festus"  
and brig "Daring". The peo-  
ple of "Gyrtown" have par-  
tially rebuilt the place. I  
am unable as yet to say to  
what extent I can obtain  
reliable information and tes-  
timony relative to the points  
set forth in my instructions.  
By the next steamship for  
New York, to sail about 5<sup>th</sup>  
proximo, I will report fully  
my proceedings up to that date.

I have this day drawn for  
the sum of Five Hundred and  
Twenty eight Dollars, payable  
at thirty days after date to  
the order of L. F. Fabens. for  
account of salary from Sep-  
tember 25<sup>th</sup> to November 30<sup>th</sup>  
inclusive.

I am, Sir,

With great respect  
Your obedient servant  
Joseph W. Fabens

Recd 16. Jan'y. Mr Markin. 621

Agency of the U.S.A -  
San Juan de Nicaragua  
January 6<sup>th</sup> 1855

Hon<sup>ble</sup> William L. Marcy  
Secretary of State  
of the United States.  
Washington D. C.

Sir,

My last dispatch of the  
21<sup>st</sup> ult<sup>o</sup> advised you of my  
arrival at this port on the 20<sup>th</sup>  
of same month per U.S. Ship Colum-  
bia -

Since then I have been dili-  
gently employed in investigating  
the several matters named in  
my letter of instructions. It has  
been very difficult thus far to ob-  
tain any reliable testimony as to  
the actual losses suffered by the  
people of Greytown by the destruc-  
tion of that place on the 13<sup>th</sup> of  
July last. Most of the people whom  
I have been able to see as yet are  
themselves claimants and others  
are unable or unwilling to speak  
upon the subject. A large number

of claims have been submitted to my inspection, the greater portion of which I believe to be grossly fraudulent, I trust to be able to show this from testimony as to the class of houses at Georgetown, the amount of goods imported and sold there, the habits, occupations of the people etc.

Upon the other matters to be inquired into and reported upon I have thus far been very successful in obtaining authentic information, and expect to be able to present full and satisfactory testimony upon the several points in question.

It has been necessary for me to visit Castillo Rapids for the purpose of procuring testimony as to the shooting of the burgoman by Captain Smith, and the relations previously existing between the parties and it will doubtless be necessary for me to visit Virgin Bay on the Lake of Nicaragua to obtain testimony from parties there, cognisant of the character and acts of "the late authorities of Georgetown".

etc. This I propose to do by the opportunity which will be afforded by the transit of the California passengers, to arrive here in about two weeks hence. I hope to complete my work in season to leave this place on my return to Washington by the steamship of 5<sup>th</sup> proximo or thereabouts -

Mr Wheeler is yet with me. The difficulties in the interior of the state have seemed to render inexpedient his proceeding thither with his family for the present. We are occupying a house on the Greytown side of the harbor.

Of the British force mentioned in my last, the ships Termagant and Vestal have sailed for Jamaica, leaving only the Darling (fourteen guns) in port. The town remains as of late without political organization.

I am, Sir

with great respect

Your very obedient servant  
Joseph W. Fabens -

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Recd. Feb. 22. Mr. McKim.

Agency of the U.S. A  
San Juan de Nicaragua  
January 22<sup>o</sup> 1855

Hon<sup>ble</sup> William L. Marcy  
Secretary of State of the U.S.  
Washington D. C.

Sir.

I had expected to have been able to have sent by this steamer a full report of my investigations thus far and the depositions I have taken. but for the last five days I have been confined to my bed with fever. To day I am a little better. but still far from well.

I shall, if my health will permit proceed up the river to day with Col Wheeler to conclude my investigations in that quarter. and hope to be able to leave here by the next steamer.

On the 6<sup>th</sup> instant I drew for 113 dollars favor G. M. Norton and for 63 dollars favor Chat Morgan. both drafts at sight. on account of travelling expenses

I am Sir

with great respect

Yours very obedient servant  
Joseph W. Fabens

Recd 16. Feb. An. Mexico

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Virgin Bay, Nicaragua  
February 3<sup>d</sup>. 1855.

To the

Hon William L. Marcy  
Secretary of State for the U.S.A.  
Washington. D. C. —

Sir.

Your dispatch dated 30<sup>th</sup>  
December 1854 was duly received  
by last steamer. I shall endeavor  
to ascertain the facts in the pardon  
case of De Forest. I mean to refer to,  
and expect to be able to report upon  
the same by the steamer from San  
Juan of 22<sup>d</sup> instant.

My health has improved  
since my last letter of 22<sup>d</sup> ultimo  
and having completed my investiga-  
tions in this quarter, I shall tomorrow  
proceed to San Juan de Nicaragua  
whence I will forward a Report  
upon Greytown affairs with depo-  
sitions and other accompanying doc-  
uments by the hands of Mr J. A.  
Ruggles, late Agent of the American  
Freight Company for this vicinity.

I am, Sir.

Very respectfully  
Your most obedient  
Servant  
Joseph W. Fabens

Genl C. Marsh Mr Mackin. 629

Agency of the U.S.A.  
San Juan de Nicaragua  
February 21<sup>st</sup> 1855.

To the

Hon Wm L. Marcy  
Secretary of State of the U.S.  
Washington D.C.  
Sir.

Having completed, as far as practicable for the present, the investigations which I was instructed to make in this quarter, I propose to leave tomorrow for New-York per Steamship "Star of the West" and proceed thence to Washington forthwith. where I hope to have the honor of transmitting to you in person my Supplemental Report with documents accompanying.

I am also charged to deliver to you a dispatch from Mr Wheeln Minister to Nicaragua with inclosures relative to recent proceedings in this neighborhood, which, of themselves, are evidence of the real character of the inhabitants of San Juan.

On the 15<sup>th</sup> instanc I drew on the Department for Three Hundred Dollars, favor E. F. Mason, at three days after sight, being No 4

and the last draft which I shall  
have occasion to draw for travelling  
expenses, an account of which will  
be rendered after my arrival at Wash-  
ington.

I am, Sir,

Very respectfully  
Your most obedient servant  
Joseph W. Fabens.